



Commission on Criminal and Juvenile Justice - 2017 Legislative Tracking Report

<u>Committees</u> CCJJ = Commission on Criminal and Juvenile Justice USC = Utah Sentencing Commission USAAV = Utah Substance Abuse and Advisory Council LELC = Law Enforcement Legislative Committee UCV = Utah Council on Victims of Crime UBJJ = Utah Board of Juvenile Justice	<u>Positions</u> SUP = Support S/C = Support in Concept OPP = Oppose N/P = No Position HOLD = Hold for Further Review PRI = Priority for Passage --- = Beyond the Scope of the Committee
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Bill Number	Title/Sponsor/Summary	Position					
HB0017	Offenses Against the Person Amendments (Snow, V. Lowry Bramble, Curtis S. Party:Republican)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
		SUP	OPP	---	SUP	PRI	N/P

Comments:

[GOVERNOR SIGNED] This bill amends the crime of aggravated assault to include the act of impeding the breathing or blood circulation of another person by the use of unlawful force that is likely to result in a loss of consciousness; provides that the commission of the aggravated assault offense of impeding breathing or blood circulation is the offense of strangulation, and is a second degree felony if action results in a loss of consciousness; and modifies the crime of child abuse to include the act of impeding the breathing or circulation of blood by applying pressure to the neck or throat, or by obstructing the nose, mouth, or airway, in a manner that is likely to cause unconsciousness. [FN: Enactment of this bill could cost a total of \$90,800 from the General Fund in FY 2018, \$181,500 in FY 2019, and \$227,500 each year thereafter. This assumes a total of about 3 new prisoners each year until FY 2020 when the total increased prisoner count reaches a constant state of 7.5 additional prisoners and presumes an average length of stay of 2.5 years. The cost breakdown is as follows: 1. Department of Corrections - \$89,100 in FY 2018, \$178,100 in FY 2019, and \$222,700 each year thereafter for incarceration costs; and, 2. Board of Pardons and Parole - \$1,700 in FY 2018, \$3,400 in FY 2019, and \$4,200 each year thereafter for additional hearings. Local Government - To the extent that offenders are housed in county jails prior to trial, the cost to the county would be about \$65/day for each offender.]

HB0019S02	Civil Asset Forfeiture Reform Amendments (Greene, Brian M. Stephenson, Howard A. Party:Republican)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
		OPP	---	OPP	OPP	OPP	---

Comments:

[HOUSE FILE for bills not passed] This SUBSTITUTE bill modifies the elements of qualifying as an innocent owner regarding property subject to forfeiture; requires a nexus of the property to specific conduct giving rise to forfeiture in order for the property to be forfeited; modifies the definition of proceeds that are from an offense giving rise to a forfeiture; requires the prosecutor to bring an action for civil forfeiture in a timely manner; modifies the process for a claimant to bring an action to claim forfeited property; provides that any person may assert an interest in seized property or file an answer to a forfeiture complaint without posting bond; provides that the hardship provisions include use of funds to allow an individual to obtain a legal defense in the forfeiture proceeding or the related criminal proceeding and assets of a legitimate business; provides that prejudgment interest shall be awarded, in addition to the current

Bill Number	Title/Sponsor/Summary	Position					
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postjudgment interest; removes the cap of 20% of the value of the property subject to forfeiture when awarding legal costs and attorney fees; and modifies the obligations of a claimant regarding illegal use of the property subject to forfeiture. It modifies the allocation of the proceeds from asset forfeiture to provide for victim restitution, reimbursement of direct costs by the prosecuting agency and the law enforcement agencies involved in the case. It provides that if the defendant is acquitted of the criminal charge subsequent to the civil forfeiture proceeding, the forfeited assets shall be returned and the defendant shall be reimbursed for interest and costs as listed. [FN: Enactment of this bill could reduce a portion of the \$1,718,400 ongoing revenue to the Criminal Forfeiture Restricted Account beginning in FY 2018 from a reduction of total civil forfeitures, restitution, and the removal of a 20% cap on awarded attorney fees. Enactment of this bill could reduce a portion of the Commission on Criminal and Juvenile Justice's pass-through costs from the \$1,718,400 collected annually in the Criminal Forfeiture Restricted Account beginning in FY 2018 as a result of fewer civil asset forfeitures, restitution, and the removal of a 20% cap on awarded attorney fees. Local Government - Enactment of this bill could cost local governments a portion of the approximately \$1,718,400 annual pass-through from the Criminal Forfeiture Restricted Account beginning in FY 2018 as a result of fewer collections into the fund. Individuals & Businesses - Enactment of this bill could save individuals a portion of the approximately \$1,718,400 collected annually as a result of fewer civil asset forfeitures, restitution, and the removal of a 20% cap on awarded attorney fees and legal costs.]

HB0022S06	Nomination Petition Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Greene, Brian M. Anderegg, Jacob L. Party:Republican)	N/P	N/P	---		---	N/P

Comments:

[HOUSE FILE for bills not passed] [This SUBSTITUTE bill is the same as the original bill except that it removes that an election officer shall impose a separate fine under Subsection (9)(a) for each offense of misrepresentation.] This bill establishes a procedure for an individual to remove the individual's signature from a candidate nomination petition. It recodifies and clarifies criminal provisions relating to a candidate nomination petition. The bill provides that criminal provisions relating to a candidate nomination petition apply to both a candidate nomination petition for a registered political party and a candidate nomination petition for a qualified political party. It imposes criminal and civil penalties when a signature gatherer intentionally misrepresents the purpose of a nomination petition or certain other information relating to the petition. The bill requires a signature gatherer to display certain information relating to a candidate for whom they are collecting signatures and makes technical and conforming changes. [FN: This bill will not impact the state budget.]

HB0031	Utah Health Care Workforce Financial Assistance Program Reauthorization	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Redd, Edward H. Vickers, Evan J. Party:Republican)	---	---	HOLD		---	---

Comments:

[GOVERNOR SIGNED] This bill amends the membership of the Utah Health Care Workforce Financial Assistance Program Advisory Committee. It amends the repeal date for the Program and repeals provisions related to certain contracts and applications that no longer exist. [FN: Will not impact the state budget.]

HB0036S01	Affordable Housing Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Edwards, Rebecca P. Weiler, Todd Party:Republican)	SUP	---	SUP		---	SUP

Comments:

This SUBSTITUTE bill defines terms and creates the Economic Revitalization and Investment Fund. It establishes requirements for the distribution of money from the fund, modifies state low-income housing tax credit provisions and makes technical and conforming changes. [FN: Enactment of this bill may increase the aggregate annual tax credit that the Utah Housing Corporation may allocate, resulting in a decrease in revenues to the Education Fund estimated at \$689,000 in FY2018, and \$1,393,000 in FY2019. Between FY2018 and FY2026, the average revenue decrease to the Education Fund per year will grow between \$700,000 and \$800,000 commensurate with population growth in the state. This allocation has no end date. The bill also transfers \$6,000,000 from the General Fund into other funds and accounts. This legislation appropriates \$4,000,000 from the General Fund, one-time to the Department of Workforce Services - Economic Revitalization and Investment Fund. It also appropriates \$2,000,000 from the General Fund, one-time, to the Department of Workforce Services - Olene Walker Housing Loan Fund. Spending from these two enterprise funds occurs as directed by statute and without legislative appropriation. Enactment of this legislation could result in more taxpayers qualifying for the tax credit or for higher credit amounts. The aggregate benefit to all individuals who receive the credit would be equal to the state Education Fund revenue loss.]

Bill Number	Title/Sponsor/Summary	Position					
HB0036S02	Affordable Housing Amendments (Edwards, Rebecca P. Weiler, Todd Party:Republican)	CCJJ	USC	USAAV	LELC	UCV	UBJJ

Comments:

[GOVERNOR SIGNED - Substitute adopted after the final meeting.] This bill defines terms; creates the Economic Revitalization and Investment Fund; establishes requirements for the distribution of money from the fund; modifies state low-income housing tax credit provisions; and makes technical and conforming changes.

HB0042S01	Insurance Related Modifications (Dunnigan, James A. Bramble, Curtis S. Party:Republican)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
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Comments:

[GOVERNOR SIGNED] [AMENDMENT #3: Makes technical changes. AMENDMENT #1: No change to the USAAV+ area of concern. This SUBSTITUTE bill no longer amends the definition provision. It also addresses taxation; removes the legislative review note from the legislation stating there is a high probability that a court would declare the legislation to be unconstitutional under the Utah Constitution, the United States Constitution or both; and other changes.] This bill modifies provisions related to insurance. [FN: Enactment of this bill could cost the Department of Insurance \$2,200 one-time in FY 2017 for rule development. Additional costs of \$1,500 one-time in FY 2018 and \$500 one-time in FY 2019 could result from rate and form reviews. The agency has indicated that they can absorb the costs within existing budgets. Spending from the Insurance Department Restricted Account impacts year-end transfers to the General Fund.]

HB0048	Wildlife Species Introduction Amendments (Albrecht, Carl R. Dayton, Margaret Party:Republican)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
		N/P	N/P	---		---	N/P

Comments:

[GOVERNOR SIGNED] This bill prohibits the release or transplation of live terrestrial or aquatic wildlife into the wild without a certificate of registration issued by the Division of Wildlife Resources or as otherwise provided by Title 23, Wildlife Resources Code of Utah. The bill states that the Division of Wildlife Resources may only authorize the transplanting of big game, turkeys, wolves, threatened or endangered species, or sensitive species as described in Section 23-14-21 and makes technical changes. [The bill changes elements regarding the unlawful release of wildlife which is a class A misd.] [FN: Will not impact the state budget.]

HB0050S02	Opioid Prescribing Regulations (Ward, Raymond P. Vickers, Evan J. Party:Republican)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
		PRI	---	PRI	SUP	SUP	---

Comments:

[GOVERNOR SIGNED] [AMENDMENT #4: Makes technical changes. AMENDMENT #3: A pharmacist is not required to verify if the prescription for a Schedule II opioid or a Schedule III opioid is a postsurgical prescription and the total duration of opioid written after the surgery has been for thirty days or fewer.] This SUBSTITUTE bill exempts the seven-day prescribing restriction for postsurgical cases and for complex or chronic conditions. For postsurgical cases, the prescriber may prescribe up to a 30-day supply. The division shall review and adjust the database to protect patient privacy, reduce inappropriate access, and is prohibited from taking action against the license of a prescriber if the prescriber demonstrates substantial compliance with the database utilization requirements.] This bill limits the number of days for which an opiate may be prescribed for certain individuals and removes an outdated provision from the Utah Controlled Substances Act related to opiate prescribing. The bill amends provisions of the Controlled Substance Database Act related to provider use of the database. [FN: Enactment of this bill could increase dedicated credit revenue from fines by \$1,000 annually. Enactment of this bill could also reduce year-end transfers to the General Fund from the Commerce Service Fund by \$3,200 annually. Enactment of this bill could cost the Department of Commerce \$3,200 from the Commerce Service Fund annually for investigations and follow-up on potential violations related to individuals not checking the controlled substance database. Spending from the Commerce Service Fund impacts year-end transfers to the General Fund. Individuals & Businesses -

Bill Number	Title/Sponsor/Summary	Position					
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Enactment of this bill could result in two fines of \$500 assessed annually for total costs to individuals of \$1,000.]

HB0052	Political Contribution Reporting Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Daw, Brad M. Bramble, Curtis S. Party:Republican)	N/P	---	---		---	---

Comments:

[GOVERNOR SIGNED] [AMENDMENT #1: Removes “if the original contributor had made the contribution directly to the filing entity” from the end of the subcategory (2) provision, which now reads “by making the contribution through one or more persons, the original contributor's identity will now be disclosed in a manner that would be required by law.”] This bill makes it a class B misdemeanor to conspire to make a campaign contribution through one or more persons in order to avoid disclosing the original source of the campaign contribution. [FN: Will not impact the state budget.]

HB0053	Missing and Exploited Children's Day	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Handy, Stephen G. Adams, J. Stuart Party:Republican)	SUP	---	---	SUP	SUP	SUP

Comments:

[GOVERNOR SIGNED] This bill provides that Rachael Runyan/Missing and Exploited Children's Day shall be commemorated annually on August 26. [FN: Will not impact the state budget.]

HB0062	Educator Rights Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Stratton, Keven J. Henderson, Deidre M. Party:Republican)	---	---	---		S/C	N/P

Comments:

[GOVERNOR SIGNED] This bill amends provisions related to abusive conduct toward school employees. It defines "abusive conduct" and requires a local school board or charter school governing board to update a policy related to bullying. The bill implements a grievance process for a school employee who experiences abusive conduct and provides for training related to abusive conduct. The bill also makes technical and conforming changes. [FN: Will not impact the state budget.]

HB0066S01	Opiate Overdose Response Act Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Moss, Carol Spackman Shiozawa, Brian E. Party:Democratic)	SUP	---	PRI	SUP	SUP	SUP

Comments:

[GOVERNOR SIGNED] This SUBSTITUTE bill adds permission for an overdose outreach provider to furnish an opiate antagonist to another overdose outreach provider. [The substitute includes AMENDMENT #2: Changes the words "individual(s)" to "person(s)."] This bill identifies the persons who are not civilly liable when administering an opiate antagonist under certain circumstances. The bill makes technical changes. [FN: Will not impact the state budget.]

HB0068	Crime Victims Reparation Board Sunset Extension	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Christensen, LaVar Hemmert, Daniel Party:Republican)	SUP	SUP	SUP	SUP	PRI	SUP

Comments:

Bill Number	Title/Sponsor/Summary	Position					
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[GOVERNOR SIGNED] This bill extends the sunset date on the Crime Victim Reparations and Assistance Board to July 1, 2027. [FN: Will not impact the state budget.]

HB0073	Child Placement Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Peterson, Jeremy A. Weiler, Todd Party:Republican)	---	---	S/C	S/C	S/C	SUP

Comments:

[HOUSE FILE for bills not passed] This bill enacts provisions in the Juvenile Court Act related to child placement during an abuse, neglect, or dependency proceeding. The bill requires the Division of Child and Family Services to determine whether a parent or guardian has an outstanding felony arrest warrant before recommending the return of a child to the custody of the parent or guardian. It allows the juvenile court to deny the return of a child to the custody of a parent or guardian if the parent or guardian has an outstanding felony arrest warrant. [FN: Enactment of this legislation could cost \$71,200 ongoing beginning in FY2018. Of that amount, \$6,400 in General Fund and \$800 in federal funds is for personnel at the Department of Human Services - Division of Child and Family Services to determine whether a parent or guardian has an outstanding felony arrest warrant. The remaining \$64,000 in General Fund is for personnel at the Office of the Attorney General - Child Protection Division to prepare and file reports with the court.]

HB0076	End of Life Options Act	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Chavez-Houck, Rebecca Party:Democratic)	*HOLD	---	---		---	---

Comments:

[HOUSE FILE for bills not passed] This bill amends the Utah Uniform Probate Code to enact the End of Life Options Act. It designates when an individual may make a request for medication under this chapter. It establishes attending physician responsibilities and requires a consulting physician confirmation. The bill provides for a counseling referral when needed and requires an informed decision, encourages family notification, requires written and oral requests, and an ability to rescind the request at any time. The bill requires waiting periods that include documentation and reporting requirements. It also requires that the patient be a resident of the state. The bill establishes the effect of the decision to end an individual's life on wills, contracts, and insurance or annuity contracts. It provides limited immunities and procedures for permissible sanctions and prohibits euthanasia or mercy killing. The bill establishes criminal penalties for certain actions and provides a uniform form for patient consent. The bill defines terms. [FN: Enactment of this legislation may cost the Department of Health \$12,000 from the General Fund one-time in FY2017 to develop a database and \$12,000 ongoing from the General Fund beginning in FY2018 for 0.2 full time equivalent employees to register clients.]

HB0077	Fifth District Court Judge	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Snow, V. Lowry Ipson, Don L. Party:Republican)	SUP	SUP	SUP	SUP	SUP	SUP

Comments:

[GOVERNOR SIGNED] This bill adds a judge to the fifth judicial district. [FN: Could cost the Courts \$433,000 ongoing from the General Fund beginning in FY2018 for one judge and two clerks.]

HB0082S01	Street-legal All-terrain Vehicle Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Noel, Michael E. Fillmore, Lincoln Party:Republican)	N/P	N/P	---	N/P	---	N/P

Comments:

[GOVERNOR SIGNED] [This SUBSTITUTE bill further defines the highways where street-legal ATV's can drive. The penalties remain the same as previous versions of the bill.] This bill amends provisions in the Traffic Code relating to the operation of a street-legal all-terrain vehicle and makes technical corrections. [FN: Will not impact the state budget.]

Bill Number	Title/Sponsor/Summary	Position					
HB0090S02	Insurance Opioid Regulation (Ward, Raymond P. Vickers, Evan J. Party:Republican)	CCJJ SUP	USC ---	USAAV PRI	LELC	UCV SUP	UBJJ ---

Comments:

[GOVERNOR SIGNED] [AMENDMENT #4: Makes technical changes. AMENDMENT #3: A pharmacist is not required to verify if the prescription for a Schedule II opioid or a Schedule III opioid is a postsurgical prescription and the total duration of opioid written after the surgery has been for thirty days or fewer.] This SUBSTITUTE bill exempts the seven-day prescribing restriction for postsurgical cases and for complex or chronic conditions. For postsurgical cases, the prescriber may prescribe up to a 30-day supply. The division shall review and adjust the database to protect patient privacy, reduce inappropriate access, and is prohibited from taking action against the license of a prescriber if the prescriber demonstrates substantial compliance with the database utilization requirements.] This bill limits the number of days for which an opiate may be prescribed for certain individuals and removes an outdated provision from the Utah Controlled Substances Act related to opiate prescribing. The bill amends provisions of the Controlled Substance Database Act related to provider use of the database. [FN: Enactment of this bill could increase dedicated credit revenue from fines by \$1,000 annually. Enactment of this bill could also reduce year-end transfers to the General Fund from the Commerce Service Fund by \$3,200 annually. Enactment of this bill could cost the Department of Commerce \$3,200 from the Commerce Service Fund annually for investigations and follow-up on potential violations related to individuals not checking the controlled substance database. Spending from the Commerce Service Fund impacts year-end transfers to the General Fund. Individuals & Businesses - Enactment of this bill could result in two fines of \$500 assessed annually for total costs to individuals of \$1,000.]

HB0092	Physical Restraint in Schools (Moss, Carol Spackman Vickers, Evan J. Party:Democratic)	CCJJ N/P	USC ---	USAAV ---	LELC OPP	UCV OPP	UBJJ SUP
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Comments:

[GOVERNOR SIGNED - Includes AMENDMENT #3: Modifying the definition of "student" adopted after the final meeting.] [AMENDMENT #2: Exempts law enforcement officers. AMENDMENT #1: Changes the words injures, injuring and injured to damages, damaging and damaged.] This bill amends provisions related to the use of physical restraint or force in schools. It defines terms and amends provisions related to the use of physical restraint or force, including to protect property from being damaged. The bill makes technical and conforming changes. [FN: Will not impact state budget.]

HB0093	Judicial Nominating Process Amendments (Nelson, Merrill F. Hillyard, Lyle W. Party:Republican)	CCJJ OPP	USC OPP	USAAV OPP	LELC	UCV OPP	UBJJ OPP
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Comments:

[HOUSE FILE for bills not passed] [AMENDMENT #2: Adds "For diversity on the bench, when deciding among applicants whose qualifications appear in all other respects to be equal, it is relevant to consider the background and experience of the applicants in relation to the current composition of the bench for which the appointment is being made." AMENDMENT #1: Removes the criteria ability, temperament, training, and experience from elements that qualify an applicant for the office, and adds legal knowledge and ability, judicial temperament, training, professional experience, integrity, impartiality, work ethic, financial responsibility, public service, and ability to perform the work of a judge.] This bill amends provisions related to the judicial nominating process. It repeals the authority of the Commission on Criminal and Juvenile Justice to make rules related to evaluation criteria for the selection of judicial nominees and makes technical changes. [FN: Will not impact the state budget.]

HB0096	Petroleum Vapor Recovery Amendments (Eliason, Steve Bramble, Curtis S. Party:Republican)	CCJJ N/P	USC N/P	USAAV ---	LELC	UCV ---	UBJJ ---
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Comments:

[GOVERNOR SIGNED] [AMENDMENT #1: Penalties only apply to tankers with a capacity of 1,000 gallons or more.] This bill addresses vapor recovery systems for a gasoline cargo tank.

Bill Number	Title/Sponsor/Summary	Position					
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It defines terms and requires the operator of a gasoline cargo tank to meet certain requirements to control the emission of gasoline vapors and establishes penalties. [An operator who violates this section is guilty of a class C misdemeanor for a third or subsequent offense.] [FN: Will not impact the state budget.]

HB0099S01	Bigamy Offense Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Noel, Michael E. Van Tassell, Kevin T. Party:Republican)	SUP	N/P	---	SUP	S/C	N/P

Comments:

[GOVERNOR SIGNED] [This SUBSTITUTE bill includes a second degree felony if the accused is also convicted of certain other offenses (inducing marriage or bigamy under false pretenses, fraud, domestic abuse, child abuse, human trafficking, or human smuggling) during the same prosecution. It is a defense to bigamy that the accused reasonably believed that they were legally eligible to marry, and were under fear of coercion or bodily harm, or a minor. The substitute includes AMENDMENT #2: Adds to the defense to bigamy that the accused has taken steps to protect the safety and welfare of any minor child of a bigamous relationship.] This bill revises the definitions of bigamy and child bigamy. [Will not impact the state budget.]

HB0110S01	Controlled Substance Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Ray, Paul Christensen, Allen M. Party:Republican)	SUP	SUP	SUP	S/C	---	SUP

Comments:

[GOVERNOR SIGNED] [AMENDMENT #2: Removes Mitragynine (Kratom) and 7-hydroxymitragynine: (E)-2-[(2S,3S)-3-ethyl-8- methoxy-1, 2,3,4,6,7,12,12b-octahydroindolo[3,2-h] quinolizin-2-yl]-3-methoxyprop-2-enoic acid methyl ester. AMENDMENT #1: Adds Mitragynine (Kratom) and 7-hydroxymitragynine: (E)-2-[(2S,3S)-3-ethyl-8- 91b methoxy-1, 2,3,4,6,7,12,12b-octahydroindolo[3,2-h] quinolizin-2-yl]-3-methoxyprop-2-enoic 91c acid methyl ester] This SUBSTITUTE bill adds the following to the list of controlled substances under Schedule I: 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide, also known as U-47700 or "pink"; Acetyl fentanyl: (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide); Butyryl fentanyl: N-(1-(2-phenylethyl)-4-piperidinyl)-N-phenylbutyramide; Furanyl fentanyl: and N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]furan-2-carboxamide. It adds the following to listed controlled substances: ADB-CHMINACA: N-[(2S)-1-amino-3,3-dimethyl-1-oxobutan-2-yl]-1-(cyclohexylmethyl)indazole-3-carboxamide; ADB-FUBINACA: (N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl) -1-(4-fluorobenzyl)-1H-indazole-3-caboxamide); and FUB-AMB; methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)valinate. [FN: Assuming offenders under the provisions in the bill would otherwise be convicted under separate similar offenses, enactment of this bill likely will not materially impact state expenditures. However, if there is a net increase in prison commitments as a result of the bill, it could cost the Department of Corrections about \$33,000/year/prisoner for each additional commitment and \$7,500/year/offender for community probation supervision from the General Fund beginning in FY2018. Similarly, if there is a net increase in offenders mentioned above, this could cost the Board of Pardons and Parole about \$400/offender per decision from the General Fund. Local Gov't - To the extent that offenders are housed in county jails, the cost to the county would be about \$65/day for each offender.]

HB0112	Firearms Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Perry, Lee B. Hinkins, David P. Party:Republican)	*HOLD	HOLD	---	OPP	OPP	HOLD

Comments:

[HOUSE FILE for bills not passed]This bill provides that a business owner who allows a person with a concealed carry permit to carry a firearm onto the owner's property is not civilly or criminally liable under certain circumstances. It also provides an exemption for a person, 21 years of age or older who may lawfully possess a firearm, from certain criminal provisions related to the carrying of a concealed firearm. [FN: Will not impact the state budget.]

HB0122	Medicaid Waiver for Postpartum Mental Health Coverage	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Redd, Edward H. Party:Republican)	---	---	SUP		---	---

Comments:

Bill Number	Title/Sponsor/Summary	Position					
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[HOUSE FILE for bills not passed] This bill defines terms and requires the Department of Health to ask for a federal waiver that will allow the state's Medicaid program to provide mental health benefits and services to certain postpartum women. [FN: Enactment of this bill may cost the Department of Health \$29,100 from the General Fund and \$29,100 from federal funds both one-time in FY2017 for computer programming costs and staff time to create the new program's policies and \$1,250,000 from the General Fund and \$2,900,000 from federal funds both ongoing beginning in FY2018 to provide mental health benefits and services to 8,400 postpartum women. Additionally, this bill may cost the Department of Workforce Services \$10,500 from the General Fund and \$94,400 from federal funds both one-time in FY2017 and \$5,800 from the General Fund and \$15,500 from federal funds both ongoing beginning in FY2018 for programming costs and information system maintenance.]

HB0123S03	Juvenile Offenses Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Roberts, Marc K. Weiler, Todd Party:Republican)	SUP	PRI	---	OPP	N/P	PRI

Comments:

[GOVERNOR SIGNED] [AMENDMENT #1: Changes the difference in ages between juveniles to "2 years" instead of "3 years."] This SUBSTITUTE bill creates a new provision for unlawful adolescent sexual activity between persons under 18 years of age. It creates penalties and makes technical and conforming corrections. [FN: Will not impact the state budget.]

HB0124S02	Assault on a Peace Officer Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Maloy, A. Cory Millner, Ann Party:Republican)	SUP	SUP	---	SUP	SUP	---

Comments:

[GOVERNOR SIGNED] [This SUBSTITUTE bill removes the designation of constables and deputy constables as law enforcement officers from section 53-13-103 and adds to the assault against a peace officer statute: correctional officers; special function officers; and federal officers. Provides enhanced penalties for assault against these officers.] [FN: Will not impact the state budget.]

HB0130S02	Cannabinoid Research	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Daw, Brad M. Vickers, Evan J. Party:Republican)	HOLD	---	S/C	SUP	SUP	---

Comments:

[GOVERNOR SIGNED] [AMENDMENT #1: Adds that the Cannabinoid Product Board shall review any available research related to the human use of a cannabinoid product that was conducted under a study approved by an IRB, or was conducted or approved by the federal government. This SUBSTITUTE bill creates a Cannabinoid Product Board to evaluate the safety and efficacy of cannabinoid products and develops guidelines for a physician recommending treatment.] This bill allows a person to possess cannabis, a cannabinoid product, and an expanded cannabinoid product and to distribute the cannabis, a cannabinoid product, or an expanded cannabinoid product to a patient pursuant to an institutional review board-approved study. It allows a person conducting an institutional review board-approved study to import and distribute cannabis, a cannabinoid product, and an expanded cannabinoid product under certain circumstances; and creates the Cannabinoid Product Board within the Department of Health. [FN: Enactment of this legislation may cost the Department of Health \$3,800 General Fund one-time and \$1,400 federal funds one-time in FY 2017 and \$15,100 General Fund ongoing and \$5,500 federal funds ongoing for per diem expenses for up to 12 annual board meetings starting in April 2017 and 0.1 FTE staff support.]

HB0138	Public Safety Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Redd, Edward H. Thatcher, Daniel W. Party:Republican)	SUP	SUP	---	SUP	SUP	SUP

Comments:

Bill Number	Title/Sponsor/Summary	Position					
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[GOVERNOR SIGNED] This bill adds special function officers as actors who are subject to prosecution for custodial sexual relations or custodial sexual misconduct. [FN: Will not impact the state budget.]

HB0139S01	Criminal Intent Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Stratton, Keven J. Weiler, Todd Party:Republican)	N/P	---	N/P	SUP	S/C	N/P

Comments:

[GOVERNOR SIGNED] [AMENDMENT #1: Changed "Voluntary intoxication is not a defense to rape" to not a defense to "sexual offenses as defined in Title 76, Chapter 5, Part 4, Sexual Offenses."] This SUBSTITUTE bill eliminates the defense of voluntary intoxication in a prosecution for sexual offenses. [FN: Will not impact the state budget.]

HB0144	Administrative Law Judge Qualifications	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Hall, Craig Party:Republican)	---	---	---		N/P	N/P

Comments:

[HOUSE FILE for bills not passed] This bill requires an individual to have a law degree in order to serve as an administrative law judge and exempts current administrative law judges from the requirement to be a law school graduate. [FN: Implementation of this bill will increase the education requirement for administrative law judges and may increase the Department of Workforce Services personnel costs by \$150,500 per year, \$16,100 of which would come from the General Fund. These costs will be phased in over the next few years due to employment turnover.]

HB0146S01	Partial Filling of a Schedule II Controlled Substance Prescription	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Barlow, Stewart E. Vickers, Evan J. Party:Republican)	---	---	SUP	SUP	SUP	---

Comments:

[GOVERNOR SIGNED] [This SUBSTITUTE bill removes the list of requirements for partially filling a prescription and instead requires the division to make rules. The substitute includes AMENDMENT #1: Adds the provision that prescriptions may be partially filled at the request of the practitioner who issued the prescription, or the patient.] This bill provides definitions; requires that the partial filling of a Schedule II controlled substance prescription for certain patients must be made in accordance with federal law and rules made by the Division of Occupational and Professional Licensing; and requires rulemaking. [FN: State Gov't - Enactment of this bill could cost the Department of Commerce \$4,500 one-time from the Commerce Service Fund to develop rules and policies. Spending from the Commerce Service Fund impacts year-end transfers to the General Fund.]

HB0149S02	Child Abuse Offender Registry	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Owens, Derrin R. Okerlund, Ralph Party:Republican)	OPP	OPP	---	S/C	S/C	OPP

Comments:

[GOVERNOR SIGNED] [This SUBSTITUTE bill places the registry within the Department of Corrections and links it to the Sex and Kidnap Offender Registry.] This bill creates the Child Abuse Offender Registry; requires persons convicted of felony child abuse, child endangerment, and human trafficking to register; specifies requirements for registration; sets penalties for failure to register; and places the registry within the Department of Corrections. [FN: Enactment of this legislation could generate up to \$40,000 in annual revenue to the General Fund from the Child Abuse Offender registration fee. Registered offenders would be required to pay an annual fee of \$100.00 to the Department of Corrections to maintain the Child Abuse Offender. It could cost the Department of Corrections \$61,600 ongoing from the General Fund beginning in FY 2018 for personnel costs to process Child Abuse Offender registration. Enactment of this legislation could cost the Attorney General's Office \$44,600 ongoing from the General Fund beginning in FY 2018 for personnel costs to support the establishment and operation of the Child Abuse Offender Registry. Enactment of this legislation could require local law enforcement agencies to register child abuse offenders with the Department of Corrections. Offenders would be required to pay a \$25.00 fee to local law enforcement agencies at the time of registration. Child abuse offenders could be required to pay up to \$125.00 in fees per year to support the

Bill Number	Title/Sponsor/Summary		Position					
operation of the Child Abuse Offender Registry.]								
HB0154	Telehealth Amendments		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Ivory, Ken Christensen, Allen M.	Party:Republican)	SUP	---	SUP		S/C	---
Comments: [GOVERNOR SIGNED] [AMENDMENT #8: Removes "amends the Electronic Prescribing Act to restrict certain prescriptions in conjunction with telehealth services" and "Amends 58-82-201, as last amended by Laws of Utah 2012, Chapter 160" because the bill no longer amends these elements. AMENDMENT #7: Removes the language passed in amendment #5 regarding electronic prescribing because of a number of concerns including possible constitutional issues. AMENDMENT #5: Amends the definition of "Asynchronous store and forward transfer" and prohibits a practitioner from issuing an electronic prescription to cause an abortion in cases of rape, incest, or if the life of the mother is endangered.] This bill defines terms and amends the Medical Assistance Act regarding reimbursement for telemedicine services. It amends the Insurance Code to require insurer transparency regarding telehealth reimbursement. It amends the Public Employees' Benefit and Insurance Program Act (PEHP) regarding reimbursement for telemedicine services. The bill requires the Department of Health and PEHP to report to a legislative interim committee and a task force regarding telehealth services. It requires a legislative study and describes responsibilities of a provider offering telehealth services. The bill amends the Electronic Prescribing Act to restrict certain prescriptions in conjunction with telehealth services. [FN: Enactment of this legislation could reduce year-end transfers to the General Fund from the Commerce Service Account by \$5,200 ongoing beginning in FY 2018. Enactment of this legislation may cost the Department of Commerce's Division of Occupational and Professional Licensing \$5,200 ongoing beginning in FY 2018 for 140 hours staff time to investigate five complaints against providers.]								
HB0155S01	Driving Under the Influence and Public Safety Revisions		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Thurston, Norman K Adams, J. Stuart	Party:Republican)	SUP	OPP	SUP	N/P	SUP	N/P
Comments: [GOVERNOR SIGNED] [This SUBSTITUTE bill adds the provision that "each law enforcement agency shall ensure that each peace officer receives training on the current standard field sobriety testing guidelines established by the National Highway Traffic Safety Administration."] This bill reduces the blood alcohol content limit for driving under the influence [from .08 to .05 grams] and reduces the blood alcohol content limit in relation to certain criminal offenses [from .08 to .05 grams]. It defines "novice learner driver" and defines "novice licensed driver." The bill modifies the definition of "alcohol restricted driver" to include a novice learner driver and a novice licensed driver. It also makes technical changes. [FN: \$1,022,700 ongoing and \$1,022,700 on-time from the General, Education, and Uniform School Funds.]								
HB0156S01	State Job Application Process		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Hollins, Sandra Iwamoto, Jani	Party:Democratic)	SUP	SUP	SUP		S/C	SUP
Comments: [GOVERNOR SIGNED - Includes AMENDMENT #4: Exempting a public employer whose primary purpose is performing financial or fiduciary functions adopted after the final meeting.[AMENDMENT #3: Exempts the State Tax Commission. AMENDMENT #2: Removes "as part of the human services system" which followed a public employer that works with children or vulnerable adults. AMENDMENT #1: Excludes the juvenile justice system. This SUBSTITUTE bill exempts the Dept. of Alcoholic Beverage Control and employers that work with children or vulnerable adults as part of the human services system.] This bill provides that a public employer may not require an applicant to disclose a past criminal conviction before an initial interview for employment; provides exemptions for certain public employers; and defines terms. [FN: Will not impact the state budget.]								
HB0161	Pedestrian Safety Amendments		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Eliason, Steve Bramble, Curtis S.	Party:Republican)	N/P	OPP	---	SUP	---	N/P

Bill Number	Title/Sponsor/Summary	Position					
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Comments:

[GOVERNOR SIGNED] This bill amends provisions related to impeding or blocking traffic. It prohibits the transfer of money or property between a pedestrian and an occupant of a motor vehicle while the motor vehicle is within certain roadways. [Modifies provisions to an existing infraction and creates a new class C misd. for third or subsequent offense within a one-year period.] [FN: Enactment of this bill could lead to an unknown number of new cases beginning in FY 2018, resulting in revenue to the state of up to \$195 per conviction. Local Government - Enactment of this bill could lead to an unknown number of new cases beginning in FY 2018, resulting in both expenditures for local justice courts to process the cases, and revenue to local courts from fines of up to \$555 per conviction. Enactment of this bill could cost local law enforcement agencies for additional court appearances. Individuals & Businesses - Enactment of this legislation could lead to fines and surcharges of up to \$800 for individuals who are convicted of an infraction or class C misdemeanor.] [FN: Will not impact the state budget.]

HB0162S02	Driving Under the Influence Classification and Sentencing Revisions	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Eliason, Steve Bramble, Curtis S. Party:Republican)	SUP	OPP	SUP	S/C	N/P	OPP

Comments:

[GOVERNOR SIGNED] This SUBSTITUTE bill modifies sentencing requirements for an individual convicted of driving under the influence and makes technical changes. [FN: Local Government - Enactment of this bill could result in additional costs for county jails. For each additional commitment to county jails as a result of the bill, incarceration costs are approximately \$65 per day.]

HB0173S01	Parental Kidnapping Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Potter, Val K. Hillyard, Lyle W. Party:Republican)	OPP	OPP	---	OPP	S/C	N/P

Comments:

[HOUSE FILE for bills not passed] This SUBSTITUTE bill corrects a Utah Code Title citation error and adds to affirmative defenses “the action was to flee an incident or pattern of domestic violence.”] This bill defines the new criminal offense of parental kidnapping as one parent withholding a child from the other parent or guardian in such a way that the parent or guardian cannot exercise certain civil remedies; states that parental kidnapping is a class B misdemeanor for the first and second convictions; makes parental kidnapping a class A misdemeanor on the third conviction; and increases the designation to a third degree felony if the child is removed from the state. [FN: Will not impact the state budget.]

HB0175	Opioid Abuse Prevention and Treatment Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Eliason, Steve Shiozawa, Brian E. Party:Republican)	SUP	---	SUP	SUP	SUP	SUP

Comments:

[GOVERNOR SIGNED] This bill requires controlled substance prescribers to receive training in a nationally recognized opioid abuse screening method and permits controlled substance prescribers to fulfill continuing education requirements through training in the screening method. It permits controlled substance prescribers who receive a DATA 2000 waiver to use the waiver to fulfill certain continuing education requirements and requires Medicaid reimbursement to health care providers for screening services. The bill requires the Public Employees' Benefit and Insurance Program to reimburse health care providers for screening services and makes technical changes.[FN: Enactment of this bill could cost the Department of Health \$24,000 (\$6,000 General Fund and \$18,000 federal funds) one-time in FY 2017 for programming costs. Beginning in FY 2018, implementation may cost the Department of Health \$60,000 (\$20,000 General Fund and \$40,000 federal funds) ongoing each year to pay for Screening, Brief Intervention, and Referral to Treatment services for 1,600 Medicaid clients and another \$30,000 (\$3,000 General Fund and \$27,000 federal funds) onetime for programming costs. Enactment may increase ongoing costs for PEHP beginning in FY 2018 by approximately \$10,000, which could result in higher premiums for state, public education, and higher education employees.]

HB0176	Human Trafficking Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
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Bill Number	Title/Sponsor/Summary		Position					
	(Ray, Paul Ipson, Don L.	Party:Republican)	N/P	N/P	---	SUP	SUP	N/P

Comments:

[HOUSE FILE for bills not passed] [AMENDMENT #1 & #2: Removes subsection 76-5-308, which was included by mistake.] This bill provides that a criminal homicide caused by the commission of the offense of human trafficking, human trafficking of a child, or aggravated human trafficking is aggravated murder and may be charged as a capital felony. [FN: To the extent that one offender is charged under the conditions of the bill, this may cost the Courts \$10,000 one-time from the General Fund for additional case processing and trial costs. Local Government - To the extent that one offender is charged under the conditions of the bill, this may cost counties up to \$500,000 one-time for additional prosecution and defense costs enhanced legal representation, witness costs, and other related costs.]

HB0177	Purchase of Firearm Amendments		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Ray, Paul	Party:Republican)	OPP	---	---	S/C	---	---

Comments:

[HOUSE FILE for bills not passed] This bill provides that a currently certified law enforcement officer is exempt from the requirements of a background check when the officer applies for a concealed firearm permit. [FN: Will not impact the state budget.]

HB0178	Good Landlord Amendments		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(King, Brian S. Bramble, Curtis S.	Party:Democratic)	OPP	OPP	OPP		---	OPP

Comments:

[GOVERNOR SIGNED] [AMENDMENT #1: Creates an exemption for a municipality with a halfway house.] This bill prohibits a municipality from requiring a residential landlord to deny tenancy to an individual based on the individual's criminal history. [FN: Will not impact the state budget.]

HB0184	Contraband Device Destruction		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Fawson, Justin L. Bramble, Curtis S.	Party:Republican)	SUP	---	---	SUP	SUP	---

Comments:

[GOVERNOR SIGNED] [AMENDMENT #1: Amends the definition of computer excluding a computer server of an Internet or an electronic service provider, or the service provider's employee, if used for the purpose of compliance with obligations pursuant to 18 USC 2258A.] This bill defines a computer containing child pornography, or being used for fraud or identification theft, as being contraband. It provides for the extraction of personal information for the owner before the destruction of the computer. ["Computer" means an electronic, magnetic, optical, electrochemical, or other high-speed data processing device that performs logical, arithmetic, and storage functions, and includes any device that is used for the storage of digital or electronic files, flash memory, software, or other electronic information.] [FN: Will not impact the state budget.]

HB0185	Office of Licensing Amendments		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Sanpei, Dean Bramble, Curtis S.	Party:Republican)	S/C	---	SUP		HOLD	---

Comments:

[GOVERNOR SIGNED] This bill defines "incidental care"; shortens the automatic denial time frame; modifies background check exemptions; and makes technical changes. [FN: Will not impact the state budget.]

Bill Number	Title/Sponsor/Summary	Position					
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HB0187	Costs for Aggravated Murder Offenses	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Handy, Stephen G. Weiler, Todd Party:Republican)	N/P	---	---	N/P	N/P	---

Comments:

[HOUSE FILE for bills not passed] [AMENDMENT #1: Removes the date the audit needs to be completed. Adds that the audit will include potential cost avoidance to the state.] This bill provides the auditor with guidelines for determining the scope of costs incurred by capital cases, including when the death penalty is sought and when it is not. It describes the various prosecutions and outcomes regarding capital cases, including conviction and plea bargains. The bill directs that the auditor report to the Legislature, including recommendations, by July 1, 2018. [FN: Will not impact the state budget.]

HB0198	Concealed Carry Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Lisonbee, Karianne Weiler, Todd Party:Republican)	*HOLD	HOLD	---	OPP	HOLD	---

Comments:

[GOVERNOR SIGNED] This bill establishes a provisional permit to carry a concealed firearm and stipulates that individuals must be at least 18 years of age, but no more than 20 years of age, to obtain the permit. It stipulates that the holder of a provisional permit issued by the state must meet eligibility requirements, including minimum age requirements to carry a concealed firearm in another state and prohibits a provisional permit holder from carrying a concealed firearm on or about an elementary or secondary school premises. [FN: Enactment of this bill could generate about \$140,000 in ongoing revenue to the General Fund Restricted - Concealed Weapons Account and an additional \$67,200 in pass-through revenue beginning in FY 2018. Enactment of this bill could cost the Department of Public Safety about \$74,200 in FY 2018 and \$65,000 each year thereafter from the General Fund Restricted - Concealed Weapons Account for processing costs. Similarly, the bill could cost about \$67,200 in ongoing pass-through funds for background checks. Individuals & Businesses - About 5,600 individuals could elect to pay \$37/person for a total of \$207,200 ongoing beginning in FY 2018.]

HB0199	High Needs Children Adoption Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Nelson, Merrill F. Weiler, Todd Party:Republican)	SUP	---	SUP		SUP	SUP

Comments:

[GOVERNOR SIGNED] [AMENDMENT #2: Limits the requirement that a child placing agency provide certain information to a prospective adoptive parent. Adds that adopted parents be trained about the prohibition against an unregulated custody transfer of a child. The bill creates a class B misdemeanor when an individual or entity knowingly engages in an unregulated custody transfer, as defined in Subsection 78A-6-105(48).] This bill defines and modifies terms. It requires a child placing agency to provide certain information and training for a prospective adoptive parent of a high needs child. It prohibits a person from engaging in an unregulated custody transfer and makes technical changes. [FN: State Gov't - Enactment of this legislation could cost the Department of Human Services - Division of Child and Family Services \$87,200 from the General Fund and \$10,800 in federal funds ongoing, plus \$2,600 one-time from the General Fund in FY 2018, for an additional clinical trainer to meet new training requirements for prospective adoptive parents. However, the department has indicated that they would likely not hire a new trainer and could absorb the new requirements within existing staff resources. Individuals & Businesses - Enactment of this legislation could require private child placing agencies to provide more information and training to prospective adoptive parents than what is current practice. The extent of the new costs to the approximately 20 agencies licensed in the State cannot be quantified at this time.]

HB0200	Sexual Assault Kit Processing Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Romero, Angela Weiler, Todd Party:Democratic)	SUP	---	---	SUP	PRI	---

Comments:

Bill Number	Title/Sponsor/Summary	Position
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[GOVERNOR SIGNED] [AMENDMENT #1: Clarifies that a "restricted kit," refers to a sexual assault kit utilized when a victim "who is 18 years or older" chooses not to provide a personal statement about the sexual assault to law enforcement and removes unnecessary information.] This bill requires that all sexual assault kits, except for those classified as restricted kits, be tested to obtain DNA profiles. Provides that testing of a sexual assault kit be completed within a specified amount of time. Provides the process by which sexual assault kits shall be stored and transmitted for testing. Provides that a sexual assault kit shall be classified as a restricted kit if the victim chooses not to interview with law enforcement about the sexual assault or sexual abuse. Provides the guidelines and process for the retention and disposal of sexual assault kits. Requires medical personnel who conduct sexual assault examinations to inform each victim of specified rights, available treatments, and services. Authorizes the Department of Public Safety to develop and implement a statewide sexual assault kit tracking system. Requires the Department of Public Safety and the Utah Prosecution Council to develop and offer training to law enforcement officers on responding to cases of sexual assault or sexual abuse. Requires the Peace Officers Standards and Training division to provide training to persons seeking certification as a peace officer on sexual assault and sexual abuse. Provides rulemaking authority for the Department of Public Safety to implement the tracking system. Establishes the timelines for processing sexual assault kits, and the submission of information for each sexual assault kit. Requires the Department of Public Safety to report to the Law Enforcement and Criminal Justice Interim Committee each year regarding the processing of sexual assault kits. [FN: State Gov't - Enactment of this legislation likely will not materially impact state revenue. Local Gov't - Local law enforcement report that enactment of this bill entails costs of (1) storing and tracking samples and (2) investigations. They also report that depending on administrative rules created as outlined in the bill, this could involve additional unknown costs.]

HB0202	Trespass Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Greene, Brian M. Anderegg, Jacob L. Party:Republican)	N/P	OPP	---	OPP	S/C	OPP

Comments:

[AMENDMENT #2: Further clarifies the status of the long-term guest. AMENDMENT #1: Clarifies that a guest is a long-term guest and adds to the definition of a long-term guest "someone who stays for a period of time longer than 48 hours to the definition of a long-term guest. The terms "an owner," and "tenant," are replaced with "the person who is the primary occupant of the residence or primary occupant." Creates a new class B misd.] This bill defines terms. It enacts provisions related to trespass by a guest in a residence and provides for a penalty. [FN: State Gov't - Enactment of this legislation may increase revenue to the General Fund by \$8,800 beginning in FY2018 for the Courts as a result of collected criminal fine revenue. Enactment of this legislation may cost \$10,600 ongoing from the General Fund beginning in FY2018 to the Courts due to an estimated additional 61 class B misdemeanor cases in district court resulting from the creation of a new condition for the crime of trespass in a residence. Local Gov't - Enactment of this legislation may result in increased costs for local government because it creates a new condition for the crime of trespass in a residence. A violation is a class B misdemeanor which can carry a penalty of up to six months in jail. To the extent that local governments experience these crimes, those local entities may experience costs associated with increased usage of jails although the anticipated local government fiscal impact is small. Individuals & Businesses - Enactment of this legislation could cost individuals approximately \$200 in fines. Assuming 44 individuals per year, the total statewide cost per year would be about \$8,800 beginning in FY2018.]

HB0202S01	Trespass Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Greene, Brian M. Anderegg, Jacob L. Party:Republican)						

Comments:

[GOVERNOR SIGNED - Substitute adopted after the final meeting] This SUBSTITUTE bill defines terms; enacts provisions related to trespass by a long-term guest in a residence; and provides for a penalty. [FN: Enactment of this legislation may increase revenue to the General Fund by \$8,800 beginning in FY 2018 for the Courts as a result of collected criminal fine revenue. Enactment of this legislation may cost \$10,600 ongoing from the General Fund beginning in FY 2018 to the Courts due to an estimated additional 61 class B misdemeanor cases in district court resulting from the creation of a new condition for the crime of trespass in a residence. Enactment of this legislation may result in increased costs for local government because it creates a new condition for the crime of trespass in a residence. A violation is a class B misdemeanor which can carry a penalty of up to six months in jail. To the extent that local governments experience these crimes, those local entities may experience costs associated with increased usage of jails although the anticipated local government fiscal impact is small. Enactment of this legislation could cost individuals approximately \$200 in fines. Assuming 44 individuals per year, the total statewide cost per year would be about \$8,800 beginning in FY 2018.]

HB0205	Expungement for Juveniles	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Pitcher, Dixon M. Party:Republican)	S/C	S/C	N/P		S/C	S/C

Bill Number	Title/Sponsor/Summary	Position					
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Comments:

[HOUSE FILE for bills not passed] This bill modifies provisions relating to records kept following expungement of a person's record of offenses committed while under the age of 21 and makes technical changes. [FN: Enactment of this bill could cost the Driver License Division \$3,800 one-time from the Department of Public Safety Restricted Account in FY 2018 for coding to the Driver License computer system to record certain information and remove DUI convictions from driving records.]

HB0206S01	Domestic Violence -- Weapons Restrictions	CCJJ	USC	USAAB	LELC	UCV	UBJJ
	(King, Brian S. Henderson, Deidre M. Party:Democratic)	SUP	S/C	SUP	S/C	PRI	---

Comments:

[GOVERNOR SIGNED] [AMENDMENT #2: Makes a technical correction. AMENDMENT #1: Makes a technical correction.] This SUBSTITUTE bill expands the scope of a Category II restricted person to include a person who is subject to a protective order or child protective order and a person who has been convicted of assault or aggravated assault against a cohabitant. [FN: Enactment of this bill could cost about \$149,700 from the General Fund in FY 2018, \$212,800 in FY 2019, and \$225,300 each year thereafter. The cost breakdown by agency is as follows: (1) Department of Corrections - \$114,000 in FY 2018, \$176,000 in FY 2019, and \$188,500 each year thereafter for incarceration and probation service costs; (2) State Courts - \$33,600 beginning in FY 2018 for court processing; and (3) Board of Pardons and Parole - \$2,100 in FY 2018 and \$3,200 each year thereafter for additional hearings. The Board of Pardons reports that they can absorb these costs. Enactment of this bill could generate about \$14,400 in ongoing revenue to counties. To the extent that more individuals are sentenced to jail as a result of the bill, this could cost about \$65/day per person.]

HB0208S01	Jail Release Orders Amendments	CCJJ	USC	USAAB	LELC	UCV	UBJJ
	(Ivory, Ken Hinkins, David P. Party:Republican)	OPP	OPP	---	SUP	SUP	---

Comments:

[GOVERNOR SIGNED] [AMENDMENT #2: Clarifies when a jail release agreement or jail release order expires. AMENDMENT #1: Modifies the definition of "Qualifying offense."] This SUBSTITUTE bill defines terms; modifies the conditions under which an arresting law enforcement agency may release an individual arrested for certain offenses against a child or vulnerable adult or sexual assault and makes technical and conforming changes. [FN: Enactment of this legislation may cost the Courts \$98,200 ongoing from the General Fund beginning in FY 2018 to proceed with the jail release order and process for an estimated additional 1,315 qualifying cases that are not currently subject to the requirement. Enactment of this legislation may result in increased costs for local government to the extent they experience an increased workload for jail booking staff, additional investigative time, and increased jail time for individuals who refuse to agree to the release terms and for individuals who violate their jail release agreements or jail release court orders. Assuming 30 violators spend an average of 60 days in jail, at \$65 per day the estimated cost would be \$117,000.]

HB0209S01	Administration of Medication to Students Amendment	CCJJ	USC	USAAB	LELC	UCV	UBJJ
	(McKell, Mike K. Bramble, Curtis S. Party:Republican)	SUP	SUP	SUP		SUP	SUP

Comments:

[GOVERNOR SIGNED] [This SUBSTITUTE bill allows for the administration of an opiate antagonist to a student in accordance with the Opiate Overdose Response Act and makes technical changes. It also allows the administration of a glucagon and a seizure rescue medication under other sections.] [FN: Will not impact the state budget.]

HB0215S02	Reproductive Health Education and Services Amendments	CCJJ	USC	USAAB	LELC	UCV	UBJJ
	(King, Brian S. Party:Democratic)	N/P	SUP	---		SUP	SUP

Comments:

Bill Number	Title/Sponsor/Summary	Position					
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[HOUSE FILE for bills not passed] This SUBSTITUTE bill defines terms; establishes requirements for human health education; requires the State Instructional Materials Commission to consult with parents and others when evaluating human health curriculum; enacts human sexuality instruction notice provisions; exempts certain persons from prosecution under certain abortion and contraceptive provisions; and makes technical and conforming corrections. [FN: Will not impact the state budget.]

HB0217S03	Livestock Harassment	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Chew, Scott H. Ipson, Don L. Party:Republican)	N/P	SUP	---		---	N/P

Comments:

[GOVERNOR SIGNED] [AMENDMENT #1: Corrects a drafting error. This SUBSTITUTE bill creates new penalties.] This bill prohibits a person from intentionally, knowingly, or recklessly chasing, actively disturbing, or harming livestock through the use of the following: a motorized vehicle or all-terrain vehicle; a dog; or an unmanned aircraft system. It describes the penalties for violating the prohibition on harassment of livestock. [FN: Will not impact the state budget.]

HB0222S02	Criminal Offenses Modifications	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Handy, Stephen G. Anderegg, Jacob L. Party:Republican)	SUP	SUP	---	N/P	S/C	SUP

Comments:

[GOVERNOR SIGNED] [AMENDMENT #1: Removes "Subject to Subsection (4), imprisonment" from the sections where its use inadvertently created a requirement for mandatory imprisonment.] This SUBSTITUTE bill authorizes a court to impose a lesser term for certain offenses under certain circumstances and prohibits lifetime registration for persons who are under 21 years of age under certain circumstances. It makes technical changes. [FN: Will not impact the state budget.]

HB0234	Post-exposure Blood Testing Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Redd, Edward H. Shiozawa, Brian E. Party:Republican)	SUP	---	---		S/C	N/P

Comments:

[GOVERNOR SIGNED] [AMENDMENT #2: Removes the health care provider/designee from making the ex parte request for a warrant ordering a blood draw. The bill allows, as required by law, for a law enforcement agency to submit the request on behalf of the petitioner.] This bill defines terms and allows a health care provider to request a blood sample if significantly exposed to a person's bodily fluids in the course of performing the provider's duties. It allows a health care provider to request a court order authorizing a blood sample from an individual if, during the course of performing the provider's duties, the provider is significantly exposed to the individual's bodily fluids. It clarifies rulemaking authority and makes technical and conforming changes. [FN: Will not impact the state budget.]

HB0235S02	Automated Traffic Enforcement Safety Devices	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(McKell, Mike K. Bramble, Curtis S. Party:Republican)	S/C	SUP	---	S/C	SUP	N/P

Comments:

[GOVERNOR SIGNED] [This SUBSTITUTE bill clarifies a photograph, video image, or other record produced by an automated traffic enforcement safety device is subject to Title 63G, Chapter 2, Government Records Access and Management Act, and clarifies the disposition of fines.] This bill authorizes the use of an automated traffic enforcement safety device on a school bus to capture a photograph or video image of a possible violation of certain traffic laws; authorizes the use of a photograph or video image obtained by an automated traffic enforcement safety device as evidence of certain traffic violations; provides for a portion of fines collected for certain traffic violations related to school buses to be allocated to offset costs of an automated traffic enforcement safety device if the device was used to provide evidence of a violation; provides rulemaking authority; and makes technical changes. [FN: Enactment of this bill could lead to an unknown number of new cases beginning in FY 2018 resulting in revenue to the state ranging from \$115 to \$575 per class C misdemeanor conviction. Enactment of this

Bill Number	Title/Sponsor/Summary	Position					
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bill could cost Courts \$20,000 one-time from the General Fund in FY 2018 to modify IT systems to process and use images from automated traffic enforcement safety devices and to modify fine computation routines and financial reporting programs. Enactment of this bill could cost Courts approximately \$175 to process each new class C misdemeanor case. Enactment of this bill could lead to costs for a school district that chooses to install an automated traffic enforcement safety device on a school bus. Enactment of this bill could lead to revenues to a school district ranging from \$20 to \$100 per class C misdemeanor conviction when the school district's automated traffic enforcement safety device provides evidence of a violation that results in a conviction, and it could lead to revenues to local governments ranging from \$40 to \$400 per class C misdemeanor conviction. Enactment of this bill could lead to costs for a private school that chooses to install an automated traffic enforcement safety device on a school bus. Enactment of this bill could lead to revenues to a private school ranging from \$20 to \$100 per class C misdemeanor conviction when the private school's automated traffic enforcement safety device provides evidence of a violation that results in a conviction. Enactment of this bill could lead to fines and surcharges ranging from \$135 to \$675 for individuals who are convicted of a class C misdemeanor.]

HB0237	Firearms and Domestic Violence Modifications	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Perry, Lee B. Bramble, Curtis S. Party:Republican)	OPP	OPP	OPP	OPP	OPP	---

Comments:

[HOUSE FILE for bills not passed] [AMENDMENT #1 and #2: Modifies sections 77-36-1.1. Enhancement of offense and penalty for subsequent domestic violence and 77-36-5.1. Conditions of probation for a person convicted of domestic violence offense.] This bill states that certain concealed carry prohibitions [76-10-504910 Carrying concealed firearm--Penalties] do not apply to an individual 21 years of age or older who may lawfully possess a firearm. It requires a court to impose a protective order on a perpetrator of domestic violence as a condition of probation or plea in abeyance that puts the perpetrator on notice that the perpetrator is prohibited from possessing a firearm under state and federal law. Among other requirements, it requires the Bureau of Criminal Identification to inform local law enforcement when a prohibited person attempts to purchase a weapon from a firearms dealer. It enhances the level of offense for domestic violence when the perpetrator is in possession of a dangerous weapon to a class A misdemeanor and makes technical changes. [FN: State Gov't - Enactment of this bill could generate an unknown amount to the General Fund and Criminal Surcharge Account both beginning in FY 2018. Enactment of this bill could cost the Department of Corrections \$40,500 in FY 2018, \$81,000 in FY 2019, and \$105,000 each year thereafter from the General Fund for incarceration costs. To the extent the Courts and Board of Pardons and Parole experience increased workloads as a result of this bill, they could experience additional General Fund costs; however, the extent and the amount is unknown. Local Gov't - Enactment of this bill could generate an unknown amount in ongoing revenue and costs to cities and counties. To the extent that more individuals are sentenced to jail as a result of the bill, this could cost about \$65/day per person. Individuals & Businesses - To the extent more individuals are convicted as a result of this bill, more offenders will pay in fines however the amount is unknown.]

HB0239S02	Juvenile Justice Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Snow, V. Lowry Weiler, Todd Party:Republican)	PRI	S/C	SUP	S/C	OPP	PRI

Comments:

[AMENDMENT #2: Modifies the provision that a board establishes a multidisciplinary team, which is no longer a requirement. Changes the procedure a school follows if an alleged offense is a class B misdemeanor or a nonperson class A misdemeanor committed on school property. AMENDMENT #1: Adds that if a minor is not offered or declines a nonjudicial adjustment the prosecutor shall review the case and take certain action.] This SUBSTITUTE bill addresses duties of prosecutors; modifies adjudications of minors under the Alcoholic Beverage Control Act; amends provisions related to sanctions and driver licenses; addresses education of certain persons under 21 years of age; amends provisions related to powers and duties of local school boards, charter school governing boards, school districts, or public school administrators; addresses reporting of certain conduct; addresses public school discipline policies; modifies provisions related to rules addressing prohibited conduct; enacts a tiered approach to disciplinary actions related to students; amends provisions related to disruptive student behavior; addresses contracts between LEAs and law enforcement for school resource officer services; modifies provisions related to controlled substances and prohibited acts; modifies sentencing requirements for minors and drug paraphernalia and controlled substances; repeals language regarding programs and procedures for minors committed to the custody of the Division of Child and Family Services; amends provisions related to in-home services; amends definition provisions; modifies provisions related to the Division of Juvenile Justice Services; modifies provisions related to restitution by a youth offender; addresses location of detention facilities and services; addresses commitment; modifies provisions related to the Youth Parole Authority; addresses discharge of youth offender; addresses youth services for prevention and early intervention; addresses community-based programs; modifies provisions related to the CCJJ; amends provisions related to minors and intoxication; amends provisions related to the buying and possession of a cigar, cigarette, electronic cigarette, or tobacco; addresses the Utah Indigent Defense Commission; addresses the jurisdiction of the juvenile court; enacts language regarding warrants; addresses when a minor may be taken into custody; addresses summons; repeals language regarding bench warrants; modifies provisions related minors being taken into custody or detention or alternatives; addresses when the attorney general represents the Division of Child and Family Services; modifies provisions related to the adjudication in juvenile courts; addresses a judgment, decree, or order and the rights and responsibilities of agency or individual

Bill Number	Title/Sponsor/Summary	Position					
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granted custody, probation, or protective supervision; addresses fines, fees, and restitution; enacts provisions related to case planning and appropriate responses; enacts provisions related to detention risk assessment tool; amends provisions related to prosecutors and review of case; modifies the citation procedure; addresses a minor held in detention; modifies suspension of driver license; modifies jurisdiction of district court; modifies enforcement of contempt or a fine, fee, or restitution; addresses youth court; addresses right to counsel; addresses the imposition of fees and expenses; addresses jurisdiction of courts; and makes technical and conforming amendments. [FN: \$3,028,700 ongoing and \$728,200 one-time funds.]

HB0239S03	Juvenile Justice Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Snow, V. Lowry Weiler, Todd Party:Republican)						

Comments:

[GOVERNOR SIGNED - Substitute adopted after the final meeting.] This SUBSTITUTE bill addresses duties of prosecutors; modifies adjudications of minors under the Alcoholic Beverage Control Act; amends provisions related to sanctions and driver licenses; addresses education of certain persons under 21 years of age; and amends provisions related to powers and duties of local school boards, charter school governing boards, school districts, or public school administrators. It addresses reporting of certain conduct; addresses public school discipline policies; modifies provisions related to rules addressing prohibited conduct; enacts an approach to disciplinary actions related to students; amends provisions related to disruptive student behavior; and addresses contracts between LEAs and law enforcement for school resource officer services. It modifies provisions related to controlled substances and prohibited acts; modifies sentencing requirements for minors and drug paraphernalia and controlled substances; and repeals language regarding programs and procedures for minors committed to the custody of the Division of Child and Family Services. It amends provisions related to in-home services; amends definition provisions; addresses expenditure of money by the Department of Human Services; modifies provisions related to the Division of Juvenile Justice Services; modifies provisions related to restitution by a youth offender; addresses location of detention facilities and services; addresses commitment; modifies provisions related to the Youth Parole Authority; addresses discharge of youth offender; addresses youth services for prevention and early intervention; and addresses community-based programs; modifies provisions related to the Commission on Criminal and Juvenile Justice. It amends provisions related to minors and intoxication; amends provisions related to the buying and possession of a cigar, cigarette, electronic cigarette, or tobacco; addresses the jurisdiction of the juvenile court; enacts language regarding warrants; addresses when a minor may be taken into custody; addresses summons; repeals language regarding bench warrants; and modifies provisions related minors being taken into custody or detention or alternatives. It addresses when the attorney general represents the Division of Child and Family Services; modifies provisions related to the adjudication in juvenile courts; addresses a judgment, decree, or order and the rights and responsibilities of agency or individual granted custody, probation, or protective supervision; addresses fines, fees, and restitution; enacts provisions related to case planning and appropriate responses; enacts provisions related to detention risk assessment tool; amends provisions related to prosecutors and review of case; and modifies the citation procedure. It addresses a minor held in detention; modifies suspension of driver license; modifies jurisdiction of district court; modifies enforcement of contempt or a fine, fee, or restitution; addresses youth court; addresses jurisdiction of courts; and makes technical and conforming amendments. [FN: \$(1,279, 200) ongoing and \$1,533,000 one-time]

HB0240S02	Employability to Careers Program	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Schultz, Mike Christensen, Allen M. Party:Republican)	---	---	S/C		---	---

Comments:

[GOVERNOR SIGNED - Includes AMENDMENT #4: Amending the funding appropriation and the membership of the Employability to Careers Program Board adopted after the final meeting.] [AMENDMENT #2: Clarifies the definition of "Eligible participant" and makes a technical correction.] This SUBSTITUTE bill defines terms; creates a restricted account called the Employability to Careers Program Restricted Account; creates the Employability to Careers Program Board within the Governor's Office of Management and Budget; authorizes the board to enter into a results-based contract with a fiscal intermediary; requires the Governor's Office of Management and Budget to staff the board; describes the components of an education, employability training, and workforce placement program that may be funded by money from the restricted account; authorizes the board to obtain the services of a programmatic intermediary to assist the board with validating the feasibility of entering into a results-based contract; requires an independent evaluation of the performance outcomes of the Employability to Careers Program; and authorizes payments from the restricted account to the fiscal intermediary if certain benchmarks are met by a service provider. [FN: This bill appropriates \$10,000,000 from the General Fund, one-time to the General Fund Restricted - Employability to Careers Restricted Account in FY 2018. Enactment of this legislation appropriates \$10,000,000 one-time from the General Fund to the newly created General Fund Restricted - Employability to Careers Restricted Account in FY 2018. Assuming the Governor's Office of Management and Budget (GOMB) will spend \$5,000,000 per year over two fiscal years, enactment of this legislation could cost GOMB \$331,900 one-time in FY 2018 and \$297,000 one-time in FY 2019 for administrative costs, and \$4,668,100 one-time in FY 2018 and \$ 4,703,000 one-time in FY 2019 for contractual costs of the new program, from the newly created restricted account.]

Bill Number	Title/Sponsor/Summary	Position
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HB0248S01	Domestic Violence Related Amendments	CCJJ USC USAAV LELC UCV UBJJ
	(Christensen, LaVar Bramble, Curtis S. Party:Republican)	S/C OPP OPP OPP S/C ---

Comments:

[GOVERNOR SIGNED] [AMENDMENT #3: Allows the victim to designate the person the defendant and victim communicate through; removed the requirement that a protective order be in place for at least two years before being modified; removed the requirement that notification of penalties for violating the protective order be given to the defendant; and makes other modifications. AMENDMENT #1: Adds "Article I, Section 28 of the Utah Constitution" to the items listed as necessary to provide ongoing protection for the victim and to be consistent with the purposes of protecting victims' rights.] This SUBSTITUTE bill amends definition provisions; addresses the designation of a person that communicates between a defendant and victim; addresses enforcement of restitution requirements; provides the process for the issuance of continuous protective orders; addresses form for protective orders; modifies conditions for dismissals of protective orders; and makes technical changes. [FN: Enactment of this bill could generate fine revenue of about \$4,300 ongoing to the General Fund and an additional \$3,900 ongoing to the Criminal Surcharge Account both beginning in FY 2018. Enactment of this bill could cost about \$251,500 from the General Fund in FY 2018, \$347,100 in FY 2019, and \$357,100 each year thereafter. The cost breakdown by agency is as follows: (1) Department of Corrections - \$235,000 in FY 2018, \$328,800 in FY 2019, and \$338,800 each year thereafter for incarceration/probation costs and victim notification services; (2) State Courts - \$12,900 beginning in FY 2018 for court processing; and (3) Board of Pardons and Parole - \$3,600 in FY 2018 and \$5,400 each year thereafter for additional hearings. Out of a total of 2,450 potential cases, the impact assumes about five additional prison commitments and five offenders sentenced to probation. Enactment of this bill could also cost the Department of Public Safety \$3,100 one-time from the General Fund in FY 2017 for programming changes. Local Government - Enactment of this bill could generate about \$4,300 in ongoing revenue to counties. To the extent that more individuals are sentenced to jail as a result of the bill, this could cost about \$65/day per person. About 11 offenders could pay about \$1,140 each in fines for a total of about \$12,500 beginning in FY 2018.]

HB0250S02	Driving Under the Influence Program Amendments	CCJJ USC USAAV LELC UCV UBJJ
	(Fawson, Justin L. Buxton, David G. Party:Republican)	OPP N/P S/C S/C S/C ---

Comments:

[GOVERNOR SIGNED] This SUBSTITUTE bill adds an appropriation and enacts section 41-6a-515.5. Sobriety program for DUI.] This bill provides definitions; authorizes a court to order a person convicted of certain driving under the influence violations to participate in a 24-7 sobriety program; authorizes a court to order a person convicted of a violation of driving with any measurable controlled substance in the body to participate in a 24-7 sobriety program; requires the Driver License Division to shorten certain driver license suspension periods if the division receives notice from a court that a person is participating in a 24-7 sobriety program; requires the Department of Public Safety to establish and administer a 24-7 sobriety program as a pilot program; specifies procedures and requirements for a 24-7 sobriety program; grants the Department of Public Safety rulemaking authority to make rules to administer the 24-7 sobriety program; and makes technical and conforming changes.

HB0254	Bail Forfeiture Amendments	CCJJ USC USAAV LELC UCV UBJJ
	(Brooks, Walt Party:Republican)	*HOLD HOLD --- --- ---

Comments:

[HOUSE FILE for bills not passed] This bill allows a prosecuting agency to receive up to 20% of the forfeited bail when bail is forfeited for nonappearance of the defendant and decreases the time period for producing a defendant who has posted bail but not appeared in court from six months to 60 days. [FN: State Gov't - Enactment of this bill could cost the Courts about \$6,000 one-time from the General Fund in FY 2018 for programming changes.]

HB0259S01	Duty to Retreat Amendments	CCJJ USC USAAV LELC UCV UBJJ
	(Maloy, A. Cory Dayton, Margaret Party:Republican)	OPP OPP --- N/P OPP OPP

Bill Number	Title/Sponsor/Summary	Position					
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Comments:

[HOUSE FILE for bills not passed] This SUBSTITUTE bill provides that a person is not required to retreat from an aggressor even if there is a safe place to retreat to, and prohibits a trier of fact from considering whether a person who did not retreat from an aggressor acted reasonably. [The substitute includes AMENDMENT #1: The amendment addresses issues of reasonable retreat during a trial.] [FN: Will not impact the state budget.]

HB0260	Drug and Alcohol Treatment Related to Bail Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Redd, Edward H. Party:Republican)	S/C	OPP	S/C	SUP	S/C	---

Comments:

[HOUSE FILE for bills not passed] This bill provides drug or alcohol detoxification procedures as an alternative to bail requirements and makes technical changes. [A prosecutor may offer a person charged with or arrested for a criminal offense a predetermined drug or alcohol detoxification procedure as an alternative to posting bail, or as modification of bail or condition of release.] [FN: Will not impact the state budget.]

HB0266	Pharmaceutical Step Therapy	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Hutchings, Eric K. Party:Republican)	---	---	SUP		SUP	---

Comments:

[AMENDMENT #1: Modifies definitions; modifies when health insurer shall authorize an insured to bypass use of all step drugs; and makes other clarifications.] This bill creates definitions; prohibits the use of step therapy for pharmaceuticals unless certain conditions are met; requires a health insurer to authorize bypass of a step drug when certain conditions are met; specifies conditions under which a request for bypass of a step drug is considered authorized; and addresses adverse benefit determinations. [FN: State Gov't - Enactment of this legislation could increase statewide costs to PEHP by \$1,040,000 annually due to potential decreases in drug rebates and increases in overall drug costs. Local Gov't - Enactment of this legislation could increase local government cost for employee health insurance coverage due to a potential decrease in rebates and a potential increase in drug costs. Individuals & Businesses - Enactment of this legislation could increase health care costs to individuals as prescriptions drug costs potentially increase.]

HB0266S01	Pharmaceutical Step Therapy	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Hutchings, Eric K. Party:Republican)						

Comments:

[HOUSE FILE for bills not passed - HELD in committee] This bill creates definitions; prohibits the use of step therapy for pharmaceuticals unless certain conditions are met; requires a health insurer to authorize bypass of a step drug when certain conditions are met; and addresses adverse benefit determinations. [Will not impact the state budget.]

HB0270	Inmate Housing Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Peterson, Jeremy A. Party:Republican)	OPP	OPP	OPP	OPP	OPP	---

Comments:

[HOUSE FILE for bills not passed] This bill defines terms and creates a process based upon population for the distribution of offenders throughout the state to community correctional centers. It sets a cap on the number of offenders that may be released to a community correctional center within a county. [FN: State Gov't - Enactment of this legislation could cost the Department of Corrections \$8.8 million one-time from the General Fund in FY 2018 to provide capital funding Community Corrections Centers (CCCs). It also could cost Corrections \$1.2 million ongoing from the General Fund beginning in FY 2018 for staffing cost increases at the new Community Corrections Centers and \$734,800 ongoing from the General Fund beginning FY 2018 for 45 offenders who would return to prison for an estimated 180 additional days at an average cost of \$90.72 per day.]

HB0274S04	Human Trafficking Modifications	CCJJ	USC	USAAV	LELC	UCV	UBJJ
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Bill Number	Title/Sponsor/Summary		Position					
	(Romero, Angela Harper, Wayne A.	Party:Democratic)	S/C	N/P	---	S/C	SUP	S/C

Comments:

[GOVERNOR SIGNED][This SUBSTITUTE bill changes a code citation in section 77-40-108.5. Distribution for order for vacatur and makes a technical correction.] This bill authorizes the court to vacate a conviction for specified offenses if the individual convicted is found to have acted under force, fraud, or coercion; provides the process by which an individual may petition the court for vacatur of a conviction for specified crimes; and makes technical corrections. [FN: To the extent that individuals file petitions for vacatur under this legislation, the Department of Public Safety - Bureau of Criminal Identification could collect \$50 in dedicated credits for each successful petition to complete expungements of petitioners' records. The potential number of petitioners cannot be quantified at this time. To the extent that individuals file petitions for vacatur under this legislation, the Courts and the Board of Pardons could incur costs to process the petitions; the Department of Public Safety - Bureau of Criminal Identification could incur costs to complete expungements of petitioners' records. The potential number of petitioners cannot be quantified at this time. Individuals filing a petition for vacatur under this legislation could incur the associated legal costs; successful petitioners could pay a \$50 fee to the Department of Public Safety - Bureau of Criminal Identification for expungement of their records. The potential number of petitioners cannot be quantified at this time.]

HB0286S02	Essential Treatment and Intervention Act		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Christensen, LaVar Adams, J. Stuart	Party:Republican)	S/C	---	SUP	OPP	---	---

Comments:

[GOVERNOR SIGNED] [AMENDMENT #2: The timeframe for a patient examination was changed from "as frequently as practical" to " at least every 90 days after the day on which a patient is admitted unless a court orders otherwise." This SUBSTITUTE bill amends definitions; limits intervention for a sufferer of substance use disorder to a relative; addresses the contractual relationship between a health insurer and individual insurer; creates a periodic review section; amends the 72-hour emergency treatment provision. Includes changes from substitute #1: Removes 14-day limit for a court to hold a hearing to determine whether the respondent should undergo treatment and replaces it with the phrase "time sensitive." It removes the requirement for the hearing to be informal; removes the ability to use the hearsay rule 1102; and makes other clarifying changes.] This bill defines terms; enacts the Essential Treatment and Intervention Act; and establishes a system for court-ordered essential treatment and intervention for an individual suffering from a substance use disorder. [FN: Enactment of this legislation could increase annual revenue to the General Fund by \$3,600 beginning in FY 2018, from fees in the amount of \$300 collected by the Courts from approximately 12 individuals filing petitions to seek court-ordered substance use disorder treatment for another individual. Enactment of this legislation could cost the Courts \$11,900 from the General Fund annually, beginning in FY 2018 to process petitions, conduct hearings, and issue orders related to approximately 12 individuals filing petitions to seek court-ordered substance use disorder treatment for another individual. The Department of Human Services - Division of Substance Abuse and Mental Health could experience additional costs of an unknown amount to designate whether licensed physicians and mental health professionals have the requisite training and experience regarding substance use disorders to qualify as essential treatment examiners. Local substance abuse authorities may experience increased demand for evaluation and treatment services, which could be offset by charges to the petitioner. In the case that an individual is ruled in contempt of court for failing to appear at an evaluation or to undergo court-ordered treatment, a local jail could spend \$65 per day on average to detain that individual. An individual choosing to petition the court for court-ordered substance use disorder treatment of another individual would be responsible for associated legal, evaluation, and treatment costs not covered by health insurance. Private substance use treatment facilities and programs that are licensed by the State may experience increased demand for evaluation and treatment services, which could be offset by charges to the petitioner.]

HB0299S01	Substance Abuse and Mental Health Act Amendments		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Redd, Edward H. Weiler, Todd	Party:Republican)	SUP	---	SUP	S/C	S/C	SUP

Comments:

[HOUSE FILE for bills not passed] [This SUBSTITUTE bill removes the use of temporary commitment procedures and the requirement that the mental health authority or designee review the patient's condition regularly when the initial commitment hearing exceeds 72 hours. It gives discretion to the law enforcement officers whether to take an individual into protective custody or for temporary commitment. The bill makes other modifications and clarifications.] This bill clarifies the role of a mental health officer; modifies definitions; removes references to the Utah State Hospital Board, which no longer exists; removes the exemption of security officers from the public safety retirement system; updates code provisions in accordance with the existing practice of private hospitals providing inpatient mental health treatment; makes changes to procedures and criteria for civil commitments; gives officers authority to not take a mentally ill individual into custody in order to avoid escalating a dangerous situation; and makes technical changes. [FN: State Gov't - Enactment of this legislation could cost the

Bill Number	Title/Sponsor/Summary	Position					
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Department of Human Services - Division of Substance Abuse and Mental Health \$43,300 General Fund and \$13,700 from federal funds ongoing beginning in FY 2018 to provide additional retirement benefits to special function officers working at the Utah State Hospital who could become eligible for the Public Safety Retirement System. The department has indicated it can absorb these costs in its existing budget.]

HB0306	Public Safety Officer Privacy Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(McKell, Mike K. Party:Republican)	OPP	---	---	S/C	S/C	N/P

Comments:

[HOUSE FILE for bills not passed] [AMENDMENT #1: Adds that it is the agency that has the discretion to release the officer's name before the time the 4-month release date.] This bill requires that the name of a law enforcement officer involved in a critical incident be kept private until the end of the investigation; further requires that the officer's name be released if the officer is charged with a crime at the end of the investigation; and provides that the officer's name shall be released not later than six months after an incident. [FN: Will not impact the state budget.]

HB0316	Crime Victim Notification Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Hutchings, Eric K. Party:Republican)	S/C	---	---	SUP	PRI	N/P

Comments:

[HOUSE FILE for bills not passed] [AMENDMENT #1: Clarifies the "alleged victim" definition.] This bill provides notice of a suspect's pending release from custody to alleged victims who have properly registered with the appropriate notification system; lists the forms of communication that may be used to provide notice to an alleged victim; requires the arresting agency to inform an alleged victim of the right to register with the notification system and provide guidance on how to register; addresses application of other statutes; and makes technical changes. [FN: Will not the impact the state budget.]

HB0323	Code of Criminal Procedure Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Coleman, Kim F. Party:Republican)	HOLD	HOLD	HOLD	OPP	OPP	HOLD

Comments:

[AMENDMENT #2: Removes from the definition of "domestic violence" or "domestic violence offense", the section that any offense against property described in Title 76, Chapter 6, Part 1, Property Destruction needs to be committed with the intent to harass or intimidate a cohabitant, or place a cohabitant in fear of serious bodily injury.] This bill modifies the definition of "domestic violence" or "domestic violence offense." [FN: State Gov't - Enactment of this legislation may cost the Courts \$11,500 ongoing from the General Fund beginning in FY 2018 to process jail release orders in an estimated 154 applicable cases. Local Gov't - To the extent that individuals stay longer in county jails as a result of this bill, this could cost counties \$65/day per offender.]

HB0323S01	Code of Criminal Procedure Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Coleman, Kim F. Party:Republican)						

Comments:

[HOUSE FILE for bills not passed - substitute adopted after final meeting] [This SUBSTITUTE bill changes (l) of the definition to "any offense against property described in Title 76, Chapter 6, Part 1, Property Destruction, committed with the intent to harass, intimidate, or cause fear in a cohabitant."] This bill modifies the definition of "domestic violence" or "domestic violence offense." [FN: Enactment of this legislation may cost the Courts \$11,500 ongoing from the General Fund beginning in FY 2018 to process jail release orders in an estimated 154 applicable cases. To the extent that individuals stay longer in county jails as a result of this bill, this could cost counties \$65/day per offender.]

HB0325	Tobacco Sales Enforcement Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
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Bill Number	Title/Sponsor/Summary				Position			
	(Spendlove, Robert M.	Party:Republican)	---	---	SUP	SUP	---	---

Comments:

[HOUSE FILE for bills not passed] This bill amends [administrative] penalties for selling tobacco to a minor. [FN: Enactment of this legislation may result in local government enforcing agencies receiving additional revenues for approximately 300 violations for tobacco sales to minors. The dollar value of each fine, and therefore total collections statewide, will depend on the circumstances of each violation. It may result in businesses paying these penalties for tobacco sale to minor violations paying additional penalties.]

HB0326	Campus Sexual Violence Protection Act		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Coleman, Kim F.	Party:Republican)	OPP	OPP	---		OPP	OPP

Comments:

[HOUSE FILE for bills not passed] [AMENDMENT #1: Adds "the alleged victim of the covered allegation" shall receive notification if the institution reports the alleged offense to law enforcement.] This bill defines terms; enacts provisions that prohibit an institution of higher education from imposing a sanction on a student for violating the institution's code of conduct under certain circumstances; enacts provisions allowing an institution of higher education to report an allegation of sexual violence to a law enforcement agency under certain circumstances; and enacts other provisions related to the duties of an institution of higher education in circumstances related to sexual violence. [FN: Will not impact the state budget.]

HB0331	Occupational Licensing Amendments		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Thurston, Norman K Bramble, Curtis S.	Party:Republican)	---	---	SUP		---	---

Comments:

[HOUSE FILE for bills not passed] [AMENDMENT #2: Adds to the requirements of a licensed person that they “pay a fee determined by the department under Section 63J-1-504”] This bill modifies the responsibilities of the Division of Occupational and Professional Licensing (DOPL). This bill modifies the authority of DOPL to issue licenses to persons who have been previously licensed in another state, district, or territory of the United States or in another country; and makes technical changes. [FN: State Gov't - Enactment of this bill could increase the Commerce Service Fund by \$22,700 annually beginning in FY 2018 from new license fee revenue. The revenue increase combined with the Commerce Service Fund costs identified below could decrease the year-end transfer to the General Fund by \$124,900 annually beginning in FY 2018. Enactment of this bill could cost the Department of Commerce \$146,700 ongoing from the Commerce Service Fund beginning in FY 2018 for screening applicants, approving licenses, and checking the credentials of potential applicants. Spending from the Commerce Service Fund impacts year-end transfers to the General Fund. Individuals & Businesses - Enactment of this bill could result in an estimated 227 licensees annually paying an average fee of \$100 for total costs of \$22,700.]

HB0332	Criminal Procedure Revisions		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Roberts, Marc K.	Party:Republican)	OPP	---	---	OPP	OPP	OPP

Comments:

[AMENDMENT #1: The provision “(i) have a jury informed of: (A) the potential sentence and direct legal consequences of a guilty verdict ...” is changed to “(i) have a jury that is informed of: (A) the potential sentence for a guilty verdict...”] This bill modifies the Utah Code of Criminal Procedure regarding information provided juries and makes technical corrections. [FN: State Gov't - To the extent that this legislation leads to new jury trials, trial costs could be approximately \$8,000 per trial. Enactment of this bill could cost \$1.6 million from the General Fund for the Office of the Attorney General and \$0.6 million from the General Fund for the Administrative Office of the Courts beginning in FY 2018 for an expected 250 new trials per year.]

HB0332S01	Criminal Procedure Revisions		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Roberts, Marc K.	Party:Republican)						

Comments:

Bill Number	Title/Sponsor/Summary	Position					
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[HOUSE FILE for bills not passed - substitute adopted after final meeting] This SUBSTITUTE bill modifies the Utah Code of Criminal Procedure regarding information provided juries and makes technical corrections. [FN: To the extent that this legislation leads to new jury trials, trial costs could be approximately \$8,000 per trial. Enactment of this bill could cost around \$160,000 from the General Fund for the Office of the Attorney General and \$64,000 from the General Fund for the Administrative Office of the Courts beginning in FY 2018 for an expected 25 new trials per year.]

HB0333	Utah Indoor Clean Air Act Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Roberts, Marc K. Party:Republican)	---	---	OPP		---	---

Comments:

[HOUSE FILE for bills not passed] This bill changes a temporary exemption for certain hookah establishments and e-cigarette establishments into a permanent exemption and removes a sunset date. [FN: Will not impact the state budget.]

HB0345	Telehealth Pilot Project	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Edwards, Rebecca P. Shiozawa, Brian E. Party:Republican)	SUP	---	SUP		S/C	---

Comments:

[GOVERNOR SIGNED] This bill defines terms; requires the Department of Health to issue a request for proposals to contract with one or more persons to develop and implement one or more telehealth pilot projects in the state. It describes the purpose of the pilot project; describes requirements for the request for proposals; requires the Department of Health to report to the Health and Human Services Interim Committee regarding the pilot project; and repeals the provisions of this bill on January 1, 2020. The purpose of the project is: (a) determine how telehealth services can best be used in the state; (b) determine the best practices for providing telehealth services in the state; and (c) identify the types of health care services for which telehealth services may be most beneficial. [FN: This legislation appropriates \$350,000 one-time General Fund in FY 2018 to the Department of Health for telehealth pilot projects. The legislation also provides nonlapsing authority for all funds in FY 2018.]

HB0346S01	Suicide Prevention Programs	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Eliason, Steve Bramble, Curtis S. Party:Republican)	SUP	---	SUP	SUP	SUP	SUP

Comments:

[GOVERNOR SIGNED] [AMENDMENT #1: Changes the appropriation from the fiscal year 2017 to fiscal year 2018.] This SUBSTITUTE bill establishes reporting requirements; creates a position in the Department of Health; and provides for grant awards for suicide prevention programs. [FN: Enactment of this legislation appropriates \$100,000 from the General Fund to the Department of Human Services, \$125,000 to the State Board of Education (an increase of \$225,000 from the Education Fund and a decrease of \$100,000 from the General Fund), and \$85,000 from the General Fund to the Department of Health, for suicide prevention programs. All appropriations are ongoing, beginning in FY 2018. Also, enactment of this legislation may cost the Department of Health \$95,000 one-time General Fund in FY 2018 and \$15,000 ongoing from the General Fund for database modifications and other expenses.]

HB0347	State Best Practices for Crisis Intervention Teams	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(King, Brian S. Party:Democratic)	S/C	---	S/C	OPP	SUP	SUP

Comments:

[HOUSE FILE for bills not passed] This bill enacts the Crisis Intervention Team Utah Program Act, including defining terms; providing for regional crisis intervention team programs; establishing the Crisis Intervention Team Utah Program Advisory Council; providing for certification of peace officers; and outlining division duties; and makes technical and conforming amendments.

Bill Number	Title/Sponsor/Summary	Position					
HB0354	Digital Piracy Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Gardiner, Adam Ipson, Don L. Party:Republican)	SUP	N/P	---		---	N/P

Comments:

[GOVERNOR SIGNED] This bill provides, for certain offenses regarding recordings, that an amount of recordings means the commercial equivalent of an amount of recordings. [Modifies elements to existing third degree felony, class A misd. and class B misd.] [FN: Will not impact the state budget.]

HB0360S02	Public Transit Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Handy, Stephen G. Party:Republican)	OPP	OPP	OPP	SUP	---	OPP

Comments:

This bill exempts an occupant of a paratransit vehicle operated by a public transit district from a requirement to wear a seatbelt; modifies a drug-related charge if an offense occurs in a transit vehicle or within 100 feet of certain facilities related to public transit; and makes technical changes.

HB0360S03	Public Transit Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Handy, Stephen G. Party:Republican)						

Comments:

[HOUSE FILE for bills not passed - substitute adopted after final meeting] This bill exempts an occupant of a paratransit vehicle operated by a public transit district from a requirement to wear a seatbelt; enhances a drug-related charge if an offense occurs in a transit vehicle or within 100 feet of certain facilities related to public transit; and makes technical changes. [FN: Enactment of this bill could generate revenue to the General Fund and Criminal Surcharge Account beginning in FY 2018. The amount would be determined by the number of cases and the degree change of each case. Enactment of this bill could lead to costs from the General Fund beginning in FY 2018 for the Courts, the Department of Corrections, and the Board of Pardons and Parole to the extent that these agencies experience increased incarcerations and workloads. The amount would be determined by the number of cases and the degree change of the each case. Enactment of this bill could generate an unknown amount in ongoing revenue and costs to cities and counties. To the extent that more individuals are sentenced to jail as a result of the bill, this could cost about \$65 per day per person. Enactment of this bill could lead to costs to individuals who are required to pay penalties and surcharges upon conviction of felonies or misdemeanors. The number of convictions and penalty and surcharge amounts will determine the total impact.]

HB0362	Alcohol Abuse Tracking Committee Relocation	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Eliason, Steve Escamilla, Luz Party:Republican)	---	---	SUP	SUP	---	---

Comments:

[HOUSE FILE for bills not passed] This bill moves the Alcohol Abuse Tracking Committee from the Department of Public Safety to the Department of Human Services. [FN: Will not impact the state budget.]

HB0364	Removal of Local Elected Officials	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Chavez-Houck, Rebecca Party:Democratic)	N/P	N/P	---		---	---

Comments:

[HOUSE FILE for bills not passed] This bill defines terms; establishes a process for removing a local elected official from office due to mental incapacity. It requires all of the following: gathering signatures from a certain percentage of individuals who are eligible to vote for the elected official whose removal is sought; a public hearing and a unanimous vote of the local legislative body to seek removal of the elected official; and a proceeding in district court for removal of the elected official. [The required petition shall include notification of a new class A

Bill Number	Title/Sponsor/Summary	Position					
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misdemeanor for a person who signs a petition for removal with any other name than the person's own name, to knowingly sign the person's name more than once for the same petition for removal, or to sign a petition for removal when the person knows that the person is not registered to vote or not eligible to vote in a race for the office to which the petition for removal relates.] [FN: State Gov't - To the extent that individuals petition for the removal of a county or municipal office holder due to mental incapacity and the local legislative body files an action in district court to have the office holder removed from office, the Courts could experience costs of approximately \$6,000 General Fund per case.]

HB0365S01	Homeless Resource Center Zone Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Briscoe, Joel K. Weiler, Todd Party:Democratic)	OPP	OPP	OPP	SUP	---	OPP

Comments:

[HOUSE FILE for bills not passed] [AMENDMENT #1: Changes the section of the violation related to the Utah Drug Paraphernalia Act to include subsection (2)(a) only. 58-37a-5(2)(a) reads “It is unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver, any drug paraphernalia, knowing that the drug paraphernalia will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce a controlled substance into the human body in violation of this act.”] This SUBSTITUTE bill modifies penalties related to violations of the Utah Controlled Substances Act when the violation occurs in or near a homeless shelter and makes technical changes. [FN: Enactment of this legislation could cost the Board of Pardons and Parole \$1,400 ongoing and \$1,400 one time starting FY 2018 for an increase in the number of individuals under their jurisdiction which increases the number of decisions required, but the agency has indicated they can absorb these costs. Enactment of this legislation could also cost Corrections \$66,000 ongoing from the General Fund starting FY 2018 for an increase in the number of individuals under their jurisdiction.]

HB0369S02	Sexual Offenses and Statutory Nonconsent Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Fawson, Justin L. Weiler, Todd Party:Republican)	OPP	OPP	---	OPP	S/C	OPP

Comments:

[This SUBSTITUTE bill modifies “76-5-406. Sexual offenses against the victim without consent of victim – Circumstances” and defines “sexual activity.” It makes a code reference change affecting several existing sections.] This bill enacts provisions to enhance the classification of a sexual offense if the actor was infected with Human Immunodeficiency Virus or Acquired Immunodeficiency Virus; amends provisions related to sexual offenses without the consent of the victim; enacts provisions criminalizing sexual conduct by a person infected with Human Immunodeficiency Virus or Acquired Immunodeficiency Virus without informing the other person of the infection; and makes technical changes.

HB0369S04	Criminal Penalty Enhancements for Sexual Offenses	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Fawson, Justin L. Weiler, Todd Party:Republican)						

Comments:

[GOVERNOR SIGNED - Substitute adopted after the final meeting] This bill enacts provisions to enhance the classification of a sexual offense if the actor was infected with Human Immunodeficiency Virus, Acquired Immunodeficiency Virus, hepatitis B, or hepatitis. [Will not impact the state budget.]

HB0370S02	Amendments to Tobacco Regulations	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Last, Bradley G. Vickers, Evan J. Party:Republican)	---	---	SUP		---	SUP

Comments:

[HOUSE FILE for bills not passed] [AMENDMENT #1: Makes a technical correction. This SUBSTITUTE bill corrects drafting errors and makes clarifications. It removes section 26-42-103. Violations and penalties -- Imposition by enforcing agency and tax commission.] This bill amends municipal and county business license practices for a retail tobacco especially

Bill Number	Title/Sponsor/Summary	Position					
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business; amends the definition of smoking in the Utah Indoor Clean Air Act; beginning January 1, 2018, requires a retail tobacco specialty business to obtain a permit from the local health department; establishes requirements for the tobacco permit application; establishes the standards a local health department shall apply when determining whether to issue a permit to a retail tobacco specialty business; gives the local health department and the state Health Department enforcement authority; and provides penalties for violations of the tobacco permits. [FN: Will not impact the state budget.]

HB0373	Substance Abuse and Mental Health Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Redd, Edward H. Escamilla, Luz Party:Republican)	SUP	---	SUP		---	---

Comments:

[HOUSE FILE for bills not passed] This bill changes the date by which local substance abuse authorities and local mental health authorities shall annually submit a service plan to the Division of Substance Abuse and Mental Health within the Department of Human Services; expands the division's responsibilities with respect to peer support services to include peer support services for individuals with mental health disorders; amends peer support services provisions; recodifies peer support services provisions; requires rulemaking; and makes technical amendments. [FN: Will not impact the state budget.]

HB0375	Asset Forfeiture Grants Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Hutchings, Eric K. Adams, J. Stuart Party:Republican)	PRI	SUP	PRI	SUP	SUP	---

Comments:

[HOUSE FILE for bills not passed] This bill amends the authorized purposes of the State Asset Forfeiture Grant Program funds to include support for substance use disorder treatment programs. [FN: Will not impact the state budget.]

HB0379	Classification of Theft Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(King, Brian S. Weiler, Todd Party:Democratic)	SUP	PRI	---	OPP	---	SUP

Comments:

[GOVERNOR SIGNED] This bill removes the element of "armed with a dangerous weapon" from the second degree felony classification and requires that the value of the property taken in a third offense be valued at \$500 or more. [FN: Will not impact the state budget.]

HB0380S01	Sex Offender Registry Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Hall, Craig Bramble, Curtis S. Party:Republican)	SUP	S/C	---	SUP	SUP	SUP

Comments:

[GOVERNOR SIGNED] [This SUBSTITUTE bill removes "77-13-6. Withdrawal of plea"; enacts "78B-9-102. Replacement of prior remedies; and makes other technical changes.] This bill specifies that a court may accept a guilty plea only if it is in conformity with the statute; requires a court that modifies a conviction for a sex or kidnap offense to notify the department; and allows the department to intervene in matters that affect a person's registration requirement. [FN: Will not impact the state budget.]

HB0382S01	DNA Task Force	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Eliason, Steve Party:Republican)	N/P	---	---	SUP	N/P	N/P

Bill Number	Title/Sponsor/Summary	Position					
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Comments:

[HOUSE FILE for bills not passed] This SUBSTITUTE bill creates a task force to study DNA collection, storage, testing, and destruction by the Department of Public Safety. [FN: State Gov't - This bill appropriates \$8,000 one-time from the General Fund in FY 2018 to the Legislature to pay the salary of the one senator and one representative serving on the DNA Task Force. The bill may cost \$1,700 one-time from the General Fund in FY 2018 for the per diem and travel expenses of the three non-state employee members of the task force.]

HB0390	Suicide Prevention Modifications	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Eliason, Steve Ipson, Don L. Party:Republican)	N/P	---	S/C	SUP	SUP	SUP

Comments:

This bill creates a Suicide Prevention Education Program to be created by the state suicide prevention coordinator and the Bureau of Criminal Identification; allows the program to provide grants to federal firearms licensees to educate their employees regarding suicide prevention; and makes technical corrections. [FN: State Gov't - This legislation appropriates \$9,800 from the General Fund beginning in FY 2018 to the Department of Public Safety - Bureau of Criminal Investigation to operate a suicide prevention education course, provide posters, and manage a grant program for federally licensed firearm dealers. Funds not expended through operational costs, anticipated to be approximately \$2,800 of the \$9,800 appropriation, could be granted to federally licensed firearm dealers to provide suicide prevention education opportunities to the public and dealers" employees. Individuals & Businesses - Enactment of this legislation could allow federally licensed firearm dealers to apply for grants from the Department of Public Safety to provide suicide prevention education opportunities to the public and dealers" employees.]

HB0390S01	Suicide Prevention Modifications	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Eliason, Steve Ipson, Don L. Party:Republican)						

Comments:

[GOVERNOR SIGNED - substitute adopted after the final meeting] This bill creates a Suicide Prevention Education Program to be created by the state suicide prevention coordinator and the Bureau of Criminal Identification; allows the program to provide grants to federal firearms licensees to educate their employees regarding suicide prevention; and makes technical corrections. [FN: This legislation appropriates \$9,800 ongoing from the General Fund to the General Fund Restricted - Firearm Safety Account. This legislation appropriates \$9,800 from the General Fund Restricted - Firearm Safety Account beginning in FY 2018 to the Department of Public Safety - Bureau of Criminal Investigation to operate a suicide prevention education course, provide posters, and manage a grant program for federally licensed firearm dealers. Funds not expended through operational costs, anticipated to be approximately \$2,800 of the \$9,800 appropriation, could be granted to federally licensed firearm dealers to provide suicide prevention education opportunities to the public and dealers" employees. Enactment of this legislation could allow federally licensed firearm dealers to apply for grants from the Department of Public Safety to provide suicide prevention education opportunities to the public and dealers" employees.]

HB0398S02	Procurement Code Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Froerer, Gage Buxton, David G. Party:Republican)	N/P	---	---		---	---

Comments:

[GOVERNOR SIGNED] [This SUBSTITUTE bill makes changes to 63G-6a-2404.7. Improper action against a public officer or employee involved in the procurement process and makes other modifications.] This bill modifies the stated purposes of the Utah Procurement Code; enacts and modifies definitions applicable to the Utah Procurement Code; modifies a provision relating to public notice; provides that it is the responsibility of a person seeking information provided by a public notice to seek out, find, and respond to the public notice; modifies minimum experience requirements for the chief procurement officer; modifies language relating to the bidding process and request for proposals process; clarifies the use of multiple award contracts in the bidding process and request for proposals process; clarifies provisions involving the terms "responsible" and "responsive"; modifies language relating to the situations where the use of a request for proposals process is appropriate; repeals and reenacts a provision relating to best and final offers; modifies a provision relating to a determination concerning a contract extension; modifies a provision relating to a determination of nonresponsibility; eliminates an appeal to the procurement appeals panel for a debarment or suspension and modifies the process of obtaining judicial review of a suspension or debarment; modifies provisions relating to protests and appeals of protest decisions; makes it unlawful for a person to divide a single procurement in order to avoid the use of a standard procurement process and for a person to take certain action against a public officer or employee involved in the procurement

Bill Number	Title/Sponsor/Summary	Position					
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process; exempts taxed interlocal entities and their directors, officers, and employees from provisions relating to unlawful conduct and penalties; modifies language relating to the consequence of failing to report unlawful conduct; and makes technical changes. [FN: Will not impact the state budget.]

HB0406	Tobacco Age Restriction Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Eliason, Steve Party:Republican)	---	---	SUP	OPP	---	---

Comments:

[HOUSE FILE for bills not passed] This bill modifies provisions of the Utah Code to provide that beginning on July 1, 2018, the minimum age for obtaining, possessing, or using tobacco products is 20 years of age. Beginning on January 1, 2019, the minimum age for obtaining, possessing, or using tobacco products is 21 years of age. [FN: By allocating future growth in liquor profits and tobacco and cigarette tax to the Legal Tobacco Age Restricted Account created in this bill, enactment could forgo revenue to the General Fund of \$2,085,000 in FY 2019 and \$2,089,000 in FY 2020. These funds are then appropriated from the restricted account to the General Fund to offset a real loss in General Fund revenue of \$1,029,000 in FY 2019 and \$2,041,000 in FY 2020 from reduced cigarette and tobacco sales. Upon appropriation, the bill transfers money in the Legal Tobacco Age Restricted Account to the General Fund of \$2,085,000 in FY 2019 and \$2,089,000 in FY 2020. Local Gov't - Enactment of this bill may reduce local sales tax revenue by \$65,000 in FY 2019 and by \$130,000 in FY 2020. Individuals & Businesses - Enactment of this bill may reduce tobacco taxes and sales taxes paid by individuals by \$1,094,000 in FY 2019 and \$2,171,000 in FY 2020.]

HB0412	Inmate Education Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Wheatley, Mark A. Party:Democratic)	OPP	OPP	OPP		---	---

Comments:

[HOUSE FILE for bills not passed][AMENDMENT #1: Makes a technical change.] This bill provides that the University of Utah Department of Sociology establish a pilot study program to provide women's health education classes on site for women incarcerated in state correctional facilities; requires that the Department of Corrections provide necessary space and equipment for the classes; requires that the Department of Sociology seek funding for the program from the private sector and governmental agencies; and requires that the Department of Sociology establish a committee to determine the resources and procedures needed to assess the outcomes regarding women who participated in the classes. [FN: To the extent that the University of Utah is able to secure federal funds or other funding, the University could spend about \$30,000 one-time in federal funds for curriculum development and instruction in FY 2018.] [FN: To the extent that the University of Utah is able to secure federal funds or other funding, the University could spend about \$30,000 one-time in federal funds for curriculum development and instruction in FY 2018.]

HB0419	Protective Order Revisions	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Pitcher, Dixon M. Party:Republican)	HOLD	HOLD	HOLD	HOLD	HOLD	HOLD

Comments:

[HOUSE FILE for bills not passed] This bill amends the definition of "abuse" that is used for a child protective order and makes technical changes.[FN: Enactment of this bill could cost the Courts about \$6,500 ongoing from the General Fund for additional time to process estimated new filings beginning in FY 2018.]

HB0428S01	Felony Fleeing Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Ray, Paul Ipson, Don L. Party:Republican)	SUP	OPP	---	SUP	SUP	N/P

Comments:

[HOUSE FILE for bills not passed] This bill provides that anyone who recklessly causes the death of another person while failing to respond to an officer's signal to stop is guilty of murder. [FN: Will not impact the state budget.]

Bill Number	Title/Sponsor/Summary	Position					
HB0433S01	Penalty for Targeting Law Enforcement Officer (Ray, Paul Party:Republican)	CCJJ OPP	USC OPP	USAAV ---	LELC S/C	UCV S/C	UBJJ OPP

Comments:

This bill SUBSTITUTE defines "targeting a law enforcement officer" and adds targeting a law enforcement officer to the aggravating factors for aggravated murder. [FN: Enactment of this legislation could reduce the year-end transfer to the General Fund from the Commerce Service Fund by \$900 in FY 2018. Enactment of this legislation could cost the Department of Commerce \$900 one-time from the Commerce Service Fund in FY 2018 for rule development. The agency has indicated that they can absorb these costs within existing budgets. Spending from the Commerce Service Fund impacts yearend transfers to the General Fund.]

HB0433S02	Penalty for Targeting Law Enforcement Officer (Ray, Paul Bramble, Curtis S. Party:Republican)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
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Comments:

[GOVERNOR SIGNED - substitute adopted after the final meeting] This bill defines "targeting a law enforcement officer"; adds targeting a law enforcement officer to the aggravating factors for aggravated murder; and makes aggravated assault a first degree felony if a law enforcement officer is targeted. [FN: Will not impact the state budget.]

HB0434	Advanced Practice Registered Nurse Licensing Amendments (Redd, Edward H. Party:Republican)	CCJJ ---	USC ---	USAAV OPP	LELC	UCV ---	UBJJ ---
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Comments:

[HOUSE FILE for bills not passed] This bill grants rulemaking authority to the Division of Occupational and Professional Licensing to make rules allowing an applicant for licensure as an advanced practice registered nurse specializing in psychiatric mental health nursing to complete clinical practice requirements under the supervision of a psychiatrist under certain conditions. [FN: State Gov't - Enactment of this legislation could reduce the year-end transfer to the General Fund from the Commerce Service Fund by \$900 in FY 2018. Enactment of this legislation could cost the Department of Commerce \$900 one-time from the Commerce Service Fund in FY 2018 for rule development. The agency has indicated that they can absorb these costs within existing budgets. Spending from the ommerce Service Fund impacts yearend transfers to the General Fund.]

HB0435	Health Care Patient Privacy Amendments (Gibson, Francis D. Shiozawa, Brian E. Party:Republican)	CCJJ S/C	USC ---	USAAV SUP	LELC	UCV SUP	UBJJ ---
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Comments:

[GOVERNOR SIGNED] [AMENDMENT #1: Expands the bill to include human service programs.] This bill amends the Government Records Access and Management Act to classify an audio or video recording created by a body worn camera in a health care setting as a protected record under the Government Records Access and Management Act; and amends Title 77, Chapter 7a, Law Enforcement Use of Body-Worn Cameras to require certain notice to a health care provider if a body worn camera is activated in a health care setting. It prohibits the activation of a body worn camera in a health care setting unless the body worn camera is activated for a law enforcement encounter. [FN: Will not impact the state budget.]

HB0439	Electronic Cigarette and Other Nicotine Product Amendments (Ray, Paul Party:Republican)	CCJJ N/P	USC N/P	USAAV S/C	LELC	UCV ---	UBJJ N/P
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Comments:

[HOUSE FILE for bills not passed] This bill enacts and amends provisions relating to electronic cigarette products, nontherapeutic nicotine products, and alternative nicotine products. [Modifies existing penalties.] [FN: State Gov't - Enactment of this bill may increase revenue to the newly created Electronic Cigarette Substance and Other Nicotine Product Tax Restricted

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Account by \$2,000,000 beginning in FY 2018. The bill may also increase revenue to the General Fund by \$6,400,000 in FY 2018 and \$7,600,000 in FY 2019. Enactment of this bill may cost the Department of Administrative Services \$2,800 ongoing beginning in FY 2018 for ongoing accounting administration and \$1,000 one-time in FY 2018 to set up the account. The bill may also cost the Department of Health \$164,700 ongoing plus \$12,800 one-time from the General Fund in FY 2018 for regulatory and compliance costs. Local Gov't - Enactment of this bill may increase revenue to the 13 local health departments by \$2,000,000 beginning in FY 2018 to cover costs associated with a nicotine inhaler and alternative tobacco product enforcement and education. Individuals & Businesses - Enactment of this bill may increase the tax burden for purchasers of electronic cigarettes and other nicotine products by \$8,400,000 in FY 2018 and \$9,600,000 in FY 2019.]

HB0442S02	Alcohol Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Wilson, Brad R. Stevenson, Jerry W. Party:Republican)	N/P	---	OPP		---	N/P

Comments:

This SUBSTITUTE bill modifies provisions related to the regulation of alcoholic beverages. It creates two school-based underage drinking prevention programs that are presented to students in grades 8 and 10 in the state; requires a presiding officer to consider any aggravating circumstances or mitigating circumstances when imposing a fine; enacts a process for the Department of Public Safety to track violations of each retail licensee involving the sale of an alcoholic product to a minor; provides that beginning on July 1, 2017, and no later than July 1, 2018, a restaurant licensee that does not have a grandfathered bar structure shall designate a dispensing area within which: the restaurant licensee may store and dispense alcoholic product at a dispensing structure; an individual 21 years of age or older may consume food and beverages; and except under certain circumstances, a minor may not be present. It removes grandfathered bar structures beginning on July 1, 2022; and makes other modifications. [There are no changes regarding criminal penalties.]

HB0442S03	Alcohol Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Wilson, Brad R. Stevenson, Jerry W. Party:Republican)						

Comments:

[GOVERNOR SIGNED – substitute adopted after the final meeting] This SUBSTITUTE bill defines terms; reduces the permissible proximity of a restaurant licensee to a community location; removes the commission's authority to grant a variance to the proximity requirements; requires electronic age verification of certain individuals who procure an alcoholic product in a dispensing area in a restaurant; reduces and modifies the membership of the Alcoholic Beverage Control Advisory Board. It provides that every three years the Legislature's general counsel shall conduct a review of each rule made by the commission for compliance with the current statute; prepare and submit a report to the president of the Senate and the speaker of the House of Representatives. It requires the department to develop the following training programs: a training program for retail managers; a training program for off-premise retail managers; and a training program for an individual who commits a violation related to service to an intoxicated individual or a minor. It enacts a process for the Department of Public Safety to track violations of each retail licensee involving the sale of an alcoholic product to a minor; establishes a flat renewal fee for a full-service restaurant licensee provides that beginning on July 1, 2017. It requires that no later than July 1, 2018, a restaurant licensee that does not have a grandfathered bar structure shall designate a dispensing area within which: the restaurant licensee may store and dispense alcoholic product at a dispensing structure; an individual 21 years of age or older may consume food and beverages; and except under certain circumstances, a minor may not be present; removes grandfathered bar structures beginning on July 1, 2022. It creates the Underage Drinking Prevention Program that consists of a school-based prevention presentation for students in grade 8 and grade 10; requires each local education agency to offer the Underage Drinking Prevention Program each school year to each student in grade 8 and grade 10; creates the Underage Drinking Prevention Program Advisory Council to provide input to the State Board of Education in administering the Underage Drinking Prevention Program; provides that the State Board of Education shall qualify one or more providers to provide the Underage Drinking Prevention Program. It creates the Underage Drinking Prevention Program Restricted Account, funded by: money from the markup on alcoholic beverages; appropriations made by the Legislature; and interest earned on money in the account. It provides that the State Board of Education may use money in the Underage Drinking Prevention Program Restricted Account for the Underage Drinking Prevention Program; and makes technical and conforming changes. [FN: General, Education, and Uniform School Funds - \$1,917,400 ongoing expenditure and \$385,000 one-time revenue]

HB0445	National Crime Prevention and Privacy Compact	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Handy, Stephen G. Party:Republican)	SUP	---	SUP	SUP	SUP	SUP

Comments:

Bill Number	Title/Sponsor/Summary	Position					
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[HOUSE File for bills not passed| This bill allows Utah to join the National Crime Prevention and Privacy Compact; provides definitions; permits Utah to share information with other states and the federal government relating to background checks and criminal histories; creates a process for Utah to request records from the FBI and other states that are parties to the compact; designates a compact council to administer the compact; provides for adjudication of disputes between member parties; and sets requirements for withdrawal from the compact. [FN: Will not impact the state budget.]

HB0446	Sentencing Guidelines Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Ivory, Ken Hemmert, Daniel Party:Republican)	N/P	SUP	---	OPP	HOLD	N/P

Comments:

[BECAME LAW w/o the Governor signature| This bill requires the Board of Pardons and Parole to develop and use a list of criteria in any decision it makes regarding whether an offender's sentence may be paroled or pardoned; restitution should be ordered; fines or forfeitures should be remitted; or the sentence should be commuted or terminated; and makes technical changes. [FN: Will not impact the state budget.]

HCR003	Concurrent Resolution Recognizing and Remembering the Forgotten Patients of the Utah State Hospital	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Redd, Edward H. Bramble, Curtis S. Party:Republican)	SUP	SUP	SUP		SUP	SUP

Comments:

[GOVERNOR SIGNED| This resolution expresses support for current efforts by staff of the Utah State Hospital to partner with individuals and private entities to build and maintain appropriate markers and monuments at the grave sites of former patients of the Utah State Hospital as a tangible effort to appropriately recognize and remember their courageous and often lonely struggle with mental illness during an earlier era when effective treatments and hope for recovery were very limited and long-term institutionalization was often the only viable intervention. It honors the lives of these once-forgotten individuals who suffered immensely from mental illness by continuing to support ongoing use of evidence-based best practices and interventions to effectively treat citizens of Utah who are currently suffering from mental illness and other complex diseases of the brain. [FN: Will not impact the state budget.]

HCR010S01	Concurrent Resolution Encouraging Identification and Support of Traumatic Childhood Experiences Survivors	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Redd, Edward H. Weiler, Todd Party:Republican)	SUP	SUP	SUP		SUP	SUP

Comments:

[GOVERNOR SIGNED| [AMENDMENT #1: Adds "due to divorce" to one of the WHEREAS statements. This SUBSTITUTE resolution includes two additional whereas statements regarding the negative effects of toxic stress on children.] This resolution highlights recent advances in understanding the impact of adverse childhood experiences on an individual's future outcomes. It encourages state officers, agencies, and employees to become informed regarding well-documented detrimental short-term and long-term impacts to children and adults from serious traumatic childhood experiences. It encourages state officers, agencies, and employees to implement evidence-based interventions and practices that are proven to be successful in developing resiliency in children and adults currently suffering from trauma-related disorders. [FN: Will not impact the state budget.]

HCR016S01	Concurrent Resolution Declaring Mental Health Issues to Be a Public Health Crisis At Utah Higher Education Institutions	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Redd, Edward H. Millner, Ann Party:Republican)	SUP	---	SUP		SUP	SUP

Comments:

Bill Number	Title/Sponsor/Summary	Position					
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[GOVERNOR SIGNED] [This SUBSTITUTE resolution urges the student body leadership of state public institutions to provide a report regarding the successes, deficiencies, and recommendations for mental health services.] This resolution declares mental health issues to be a public health crisis at Utah higher education institutions. It recognizes Utah's high rate of suicide and attempted suicide due to mental health issues. The resolution strongly urges state agencies, local health authorities, non-profit groups, and higher education entities to seek productive, long-term solutions to address this crisis. [FN: Will not impact the state budget.]

HJR004S01	Joint Resolution on Maintenance-of-effort Requirements	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Redd, Edward H. Christensen, Allen M. Party:Republican)	---	---	SUP		---	---

Comments:

[HOUSE/to Lt. GOVERNOR] [This SUBSTITUTE resolution includes AMENDMENT #2: Amends a WHEREAS statement regarding federal grants.]. This resolution recognizes that federal maintenance-of-effort requirements can severely limit state budget flexibility and requests that Utah's congressional delegation submit federal legislation adding the following language to each maintenance-of-effort statutory requirement: "In nowise shall the state amount obligated as a maintenance-of-effort calculation exceed the amount of federal funding provided through the grant." [FN: Will not impact the state budget.]

HR0001	House Resolution Urging Restorative Justice in Utah's Education System	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Hollins, Sandra Party:Democratic)	SUP	SUP	---		SUP	SUP

Comments:

[HOUSE FILE for bills not passed] This resolution encourages the Utah State Board of Education and Utah's school districts to implement restorative justice programs in Utah's public primary and secondary schools as a way to help Utah's students stay in school and deal with their challenges in a healthier and more constructive way and encourages the Utah State Board of Education and Utah's school districts to implement restorative justice programs in Utah's public primary and secondary schools as a means to help school districts better manage their student disciplinary issues. [FN: Will not impact the state budget.]

SB0012S01	Expungement Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Thatcher, Daniel W. Hutchings, Eric K. Party:Republican)	SUP	PRI	SUP	SUP	SUP	---

Comments:

[GOVERNOR SIGNED] [This SUBSTITUTE bill states that an order of expungement may not prevent “an agency” from maintaining, sharing, or distributing any record by law. Previously, this provision was limited to the Driver License Division. Penalties that prohibit disseminating information are limited to an employee or agent of an agency and information pertaining to the expunged or pardoned record. The time period for expungements granted without a hearing is changed. This substitute bill includes AMENDMENT #2: Makes a technical change.] This bill adds definitions; prevents the dissemination of information regarding pardons and expungements by certain persons; specifies that infractions, traffic offenses, and certain minor offenses will not count towards expungement eligibility; allows for an increase in the number of convictions counted to be eligible for expungement; and allows the court during sentencing in a criminal prosecution to take into account if the level of the offense has been reduced since the defendant's conviction. [FN: State Government - Enactment of this bill could generate about \$20,000 in ongoing fee revenue to the General Fund and \$11,200 in dedicated credits to the Department of Public Safety beginning in FY 2018. Assuming about 200 applicable cases, enactment of this bill could cost a total of \$70,600 ongoing from the General Fund and \$11,200 in dedicated credits beginning in FY 2018. The breakdown of costs are as follows: 1.State Courts - \$33,800 for court time/processing; and 2. Department of Public Safety - \$36,800 for research and processing. Individuals & Businesses - About 200 individuals could pay about \$156 in fees for a total of \$31,200 annually beginning in FY 2018.]

SB0014S02	Emergency Telephone Service Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Harper, Wayne A. Snow, V. Lowry Party:Republican)	N/P	---	---	SUP	N/P	N/P

Bill Number	Title/Sponsor/Summary						Position
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Comments:

[GOVERNOR SIGNED] [This SUBSTITUTE bill no longer requires the 911 divisions to create an education program and other clarifications.] This bill defines terms and provides an applicability date. It requires certain multi-line telephone systems to provide certain information to a public safety answering point and requires a multi-line telephone system to be capable of accessing 911 services directly. [FN: State Gov't - Enactment of this legislation could cost the Department of Technology Services \$150,200 recurring in FY 2018 and FY 2019 from the Enterprise Technology Fund to support personnel, hardware and software costs in compliance with this legislation. These costs will be passed through to state agency customers. Local Gov't - Enactment of this legislation would require local governmental entities that operate multi-line phone systems to meet the bill's location sharing standards for any systems upgraded or installed after July 1, 2017. Individuals & Businesses - Enactment of this legislation would require private businesses and individuals that operate multi-line phone systems to meet the bill's location sharing standards for any systems upgraded or installed after July 1, 2017.]

SB0031S01	Protection of Law Enforcement Officers' Personal Information	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Ipson, Don L. Ray, Paul Party:Republican)	S/C	S/C	SUP	SUP	SUP	N/P

Comments:

[GOVERNOR SIGNED] [This SUBSTITUTE bill modifies definitions; amends when the prohibition of posting personal information does not apply; adds that soliciting, selling or trading personal information is prohibited if it would cause an imminent and serious threat; modifies the liability of interactive computer service or access software section; and adds protection for constitutional rights. This substitute includes AMENDMENT #1: Removing unnecessary information.] This bill provides criminal penalties for posting on the Internet a law enforcement officer's address and phone numbers, or posting the same information regarding an officer's immediate family member; prohibits the solicitation or sale of the officer's private information and provides for civil damages and the cost of attorney fees; and provides definitions, including a definition of "personal information." [FN: Will not impact the state budget.]

SB0037	Statewide Crisis Line	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Thatcher, Daniel W. Eliason, Steve Party:Republican)	SUP	SUP	S/C	SUP	SUP	SUP

Comments:

[GOVERNOR SIGNED] [AMENDMENT #3: Modifies the membership of the commission. AMENDMENT #2: Modifies the membership of the commission.] This bill defines terms and creates the Mental Health Crisis Line Commission. It addresses the membership and duties of the Mental Health Crisis Line Commission, and requires the Commission to report to the Political Subdivisions Interim Committee; provides a repeal date. [FN: Could cost the Legislature \$3,200 one-time from the General Fund in FY2018 for compensation and expenses of two legislators on the newly created Mental Health Crisis Line Commission, and could cost the Attorney General's Office \$1,300 one-time from the General Fund in FY 2018 for staffing and administrative costs.]

SB0046	Medicaid Expansion Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Davis, Gene Party:Democratic)	SUP	SUP	SUP		SUP	SUP

Comments:

[SENATE FILE for bills not passed] This bill requires the Department of Health to amend the state Medicaid plan to expand Medicaid eligibility to the optional populations under the Patient Protection and Affordable Care Act. It repeals a provision requiring the governor to comply with certain requirements before expanding Medicaid and provides that Medicaid expansion is repealed if federal funding decreases from the Patient Protection and Affordable Care Act funding rates. [FN: State - Enacting this bill could increase federal funds receipts by the following amounts: \$4.2 million in FY 2017, \$506 million in FY 2018, \$678 million in FY 2019, and \$905 million in FY 2023. Local - Local government mental health and substance abuse services will be replaced with full Medicaid coverage at a higher federal match rate for 10,600 individuals which generates General Fund savings of about \$1,800,000 in FY 2018. These savings then decline annually beginning in FY 2019 to about \$1,500,000 by FY 2021. County governments will also see savings for newly eligible inmates for Medicaid to cover some inpatient hospital medical costs. Individuals & Businesses - Up to 108,500 recipients could begin paying existing Medicaid co-pays and other related costs beginning in FY 2018 in exchange for expanded services.]

Bill Number	Title/Sponsor/Summary	Position					
SB0070	Asset Forfeiture Transparency Amendments (Stephenson, Howard A. Knotwell, John Party:Republican)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
		N/P	N/P	N/P	OPP	---	---

Comments:

[GOVERNOR SIGNED] [AMENDMENT #3: Allows the seizing agency to deduct the expense of reporting under section 24-4-188 from the proceeds of the sale. Reporting requirements are limited to "reasonably" available data. Agencies are required to report the expense of reporting data for any civil or criminal forfeiture matter to the Commission on Criminal and Juvenile Justice.] This bill, in addition to current reporting requirements, requires that law enforcement agencies reporting on a forfeiture action shall include: information on related criminal charges; the value of seized property; the agency's share of property received from a federal forfeiture case; the agency's costs incurred in making the required reports; the agency's costs incurred for storage of storing seized property, and the legal costs incurred by the prosecuting attorney. It amends the list of information to be provided regarding a forfeiture. The bill requires that the information be reported by a law enforcement agency when transferring disposition of property resulting from a forfeiture matter to the Commission on Criminal and Juvenile Justice and when the law enforcement agency has been awarded any share of property forfeited by the federal government. [FN: Enactment of this bill could result in a transfer of \$98,000 ongoing from the Criminal Forfeiture Restricted Account beginning in FY 2018 from the Commission on Criminal and Juvenile Justice to the Attorney General's Office to fund the costs of reporting the information required in this bill. Enactment of this bill could cost the Office of the Attorney General \$98,000 ongoing from the Criminal Forfeiture Restricted Account beginning in FY 2018 for an additional 0.55 FTE to collect and report the information required in the bill, and could reduce expenses for the Commission on Criminal and Juvenile Justice by \$98,000 ongoing beginning in FY 2018 as money that was previously passed through to local entities, is shifted to the reporting requirements in this bill. Local governments could experience increased costs to collect and report the information required in this bill. The extent of such costs will vary depending on the number and nature of forfeitures by each governmental unit.]

SB0071S01	Criminal Accounts Receivable Amendments (Thatcher, Daniel W. Roberts, Marc K. Party:Republican)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
		HOLD	PRI	---	OPP	OPP	---

Comments:

[GOVERNOR SIGNED] This SUBSTITUTE bill defines terms and specifies when criminal judgment accounts receivable may be assigned to the Office of State Debt Collection. It allows the court to modify amounts and payment schedules in order to avoid a default and provides that the court may hold a delinquent or defaulting defendant in contempt. The bill outlines possible consequences for a delinquent or defaulting defendant and makes technical and conforming amendments. [FN: State Gov't - Enactment of this bill could save the Department of Corrections about \$26,000 ongoing from the General Fund in accounting functions beginning in FY 2018. This bill could also cost the Office of State Debt Collection Fund \$100,000 in FY 2018 and \$52,000 each year thereafter for additional personnel and computer programming expenditures. Local Government - Enactment of this bill could save county jails an unknown amount in accounting function requirements.]

SB0072	Victim Selection Penalty Enhancements (Thatcher, Daniel W. Party:Republican)	CCJJ	USC	USAAV	LELC	UCV	UBJJ
		PRI	SUP	SUP	PRI	PRI	SUP

Comments:

[SENATE FILE for bills not passed] This bill provides that the penalty for a criminal offense is subject to enhancement by one degree if the offender acted against an individual because of the offender's perception of the individual's ancestry, disability, ethnicity, gender, gender identity, national origin, race, religion, or sexual orientation. It provides the same enhancement provisions if the criminal offense damages property and the offender acted against the property because of the offender's perception of the individual's ancestry, disability, ethnicity, gender, gender identity, national origin, race, religion, or sexual orientation. The bill states that the provisions do not affect an individual's constitutional right of free speech or any other constitutional rights and amends the Bureau of Criminal Identification's duties regarding recording crimes that exhibit evidence of prejudice based on specified categories. [FN: Enactment of this bill could increase ongoing General Fund revenue by about \$600 beginning in FY 2018. Assuming 3 applicable cases annually, enactment of this bill could cost a total from the General Fund of \$23,400 in FY 2018, \$45,900 in FY 2019, and \$68,400 each year thereafter to the Department of Corrections and State Courts for community supervision and court processing. Local - To the extent more offenders are housed in county jails as a result of the bill, this could cost county jails about \$65/day per offender beginning in FY 2018. Individuals & Businesses - About 3 individuals could pay fines of about \$200 each for a total of \$600 annually beginning in FY 2018.]

Bill Number	Title/Sponsor/Summary	Position					
SB0076S01	Post-conviction DNA Testing Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Hillyard, Lyle W. Eliaison, Steve Party:Republican)	N/P	SUP	---	N/P	SUP	SUP

Comments:

[GOVERNOR SIGNED] [This SUBSTITUTE bill reinstates the provision that was removed denying postconviction DNA testing if DNA testing was available and the defendant did not request or present DNA testing at trial for tactical reasons and removes the 10-day time limit from a petitioner's response to the AG.] This bill modifies the requirements to obtain postconviction DNA testing by providing that the new evidence shall establish by a reasonable probability that the petitioner would not have been convicted, or would have received a lesser sentence, rather than requiring that the evidence will establish factual innocence; and provides that after the Utah attorney general responds to a petition for postconviction DNA testing, the petitioner may reply to the attorney general's response before the court makes a determination regarding allowing the testing. [FN: Enactment of this legislation could cost the Attorney General \$44,600 from the General Fund for costs related to responding to requests for post-conviction DNA testing.]

SB0087S04	Civil Asset Forfeiture Revisions	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Thatcher, Daniel W. Greene, Brian M. Party:Republican)	SUP	---	SUP	SUP	SUP	---

Comments:

[GOVERNOR SIGNED] [This SUBSTITUTE bill includes AMENDMENT #2: Amends the definition of an "Interest holder" and modifies 24-4-107. Innocent owners, and AMENDMENT #3: Modifies 24-4-107. Innocent owners.] This bill amends specified definitions; amends provisions regarding the determination that property is subject to forfeiture; amends civil forfeiture procedures to provide for seized currency to be returned to the claimant in specified circumstances; provides that when property valued at less than \$10,000 is seized, the property shall be returned to the claimant; provides that when property is determined to be subject to forfeiture, and the claimant is then acquitted of the offense giving rise to the forfeiture, the property shall be returned; and facilitates the return of seized property to an innocent owner. [FN: Enactment of this bill could reduce revenue to the Criminal Forfeiture Restricted Account. Current average annual revenue is \$1.7 million. Any reduction would depend on whether conditions met criteria in the bill. Enactment of this bill could reduce a portion of the Commission on Criminal and Juvenile Justice's pass-through costs from the approximately \$1.7 million collected annually in the Criminal Forfeiture Restricted Account beginning in FY 2018 and the change from a 20% to a 50% cap on awarded attorney fees and legal costs. Enactment of this bill could cost local governments a portion of the approximately \$1.7 million annual pass-through from the Criminal Forfeiture Restricted Account beginning in FY 2018 as a result of fewer collections into the fund. Enactment of this bill could save individuals a portion of the approximately \$1.7 million collected annually as a result of fewer civil asset forfeitures and returned forfeitures not meeting certain criteria, and the change from a 20% to 50% cap on awarded attorney fees and legal costs.]

SB0096	Unsecured Load Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Harper, Wayne A. Spendlove, Robert M. Party:Republican)	N/P	---	---		S/C	---

Comments:

[GOVERNOR SIGNED] This bill defines unsecured load and creates new penalties for certain violations. It instructs the department, when possible, to educate the public regarding unsecured loads and makes technical changes. [FN: Will not impact the state budget.]

SB0106	Psychology Interjurisdictional Compact	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Shiozawa, Brian E. Redd, Edward H. Party:Republican)	SUP	---	SUP		S/C	SUP

Comments:

[GOVERNOR SIGNED] This bill creates a chapter in the Occupations and Professions Code to establish the Psychologist Interjurisdictional Compact. It provides administrative rulemaking authority to the Division of Occupational and Professional Licensing to implement the multi-state compact. [FN: Enactment of this bill could reduce year-end transfers to the General Fund

Bill Number	Title/Sponsor/Summary	Position					
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by \$7,400 annually and by \$17,700 one-time in FY 2018. Enactment of this bill could cost the Department of Commerce \$7,400 ongoing from the Commerce Service Fund and \$17,700 one-time to pay the annual commission fee, investigate potential licensees, maintain caseload, work with the industry, and develop rules and procedures governing the program. Spending from the Commerce Service Fund impacts year-end transfers to the General Fund.]

SB0111S03	Unmanned Aircraft Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Harper, Wayne A. Christofferson, Kay J. Party:Republican)	N/P	N/P	---	SUP	SUP	---

Comments:

[GOVERNOR SIGNED] [AMENDMENT #1: Modifies "aircraft for recreational purposes shall comply with section '72-14-403. Safe operation of unmanned aircraft' {removed 'and' replaced with 'or'} 14 C.F.R. Sec. 101. This SUBSTITUTE bill modifies "72-14-104 Applicability" to exempt a person or business entity conducting legitimate educational or business activities in a manner consistent with applicable Federal Aviation Administration rules, exemptions, or other authorizations. It adds that an individual may not operate an unmanned aircraft under a height of 50 feet within a public transit fixed guideway right-of-way or directly above any overhead electric lines used to power a public transit rail vehicle. Penalties are modified to exclude legitimate commercial or educational use in a manner consistent with applicable Federal Aviation Administration rules, exemptions, or other authorizations and certain conduct that is solely incidental to the lawful commercial or educational use of the unmanned aircraft.] This bill defines terms; reorganizes existing code related to unmanned aircraft; preempts local laws related to unmanned aircraft; and exempts unmanned aircraft from registration with the state of Utah. It enacts provisions related to the operation of unmanned aircraft by law enforcement including: data collection; reporting; and retention. It enacts provisions related to use of an unmanned aircraft for law enforcement operations and use of data obtained by an unmanned aircraft operated by a civilian. It establishes certain safety requirements and limitations for the operation of an unmanned aircraft; and prohibits use of an unmanned aircraft equipped with a weapon. It prohibits a person from committing trespass with an unmanned aircraft; committing a privacy violation with an unmanned aircraft; or committing voyeurism with an unmanned aircraft. It establishes criminal penalties and makes technical changes. [FN: Will not impact the state budget.]

SB0115S01	Compulsory Education Revisions	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Anderegg, Jacob L. Party:Republican)	S/C	SUP	---		---	SUP

Comments:

[SENATE FILE for bills not passed] [This SUBSTITUTE bill eliminates the criminal penalties for a parent of a truant school-age child. It amends the requirements related to excusing a home-schooled student and added provisions related to a violation of a court order by a habitual truant.] [FN: Will not impact the state budget.]

SB0118	Criminal Law Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Thatcher, Daniel W. Perry, Lee B. Party:Republican)	SUP	S/C	---	SUP	S/C	---

Comments:

[AMENDMENT #1: Removes "a communication or data system" from the definition of "Critical infrastructure."] This bill defines terms and modifies the elements, penalties, and defenses for computer crime. It makes it a crime to interrupt or interfere with critical infrastructure and amends and enacts reporting requirements relating to computer crime or the interruption of, or interference with, critical infrastructure. The bill amends provisions relating to raising a false alarm or filing a false report. It amends the elements of electronic communication harassment and makes technical and conforming changes. [FN: Will not impact the state budget.]

SB0118S01	Criminal Law Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Thatcher, Daniel W. Perry, Lee B. Party:Republican)						

Comments:

Bill Number	Title/Sponsor/Summary	Position					
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[GOVERNOR SIGNED] This SUBSTITUTE bill defines terms; modifies the elements, penalties, and defenses for computer crime makes it a crime to interrupt or interfere with critical infrastructure; amends and enacts reporting requirements relating to computer crime or the interruption of, or interference with, critical infrastructure; amends provisions relating to raising a false alarm or filing a false report; amends the elements of electronic communication harrassment; and makes technical and conforming changes. [FN: Will not impact the state budget.]

SB0131	Residential Vocational and Life Skills Programs Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Vickers, Evan J. Party:Republican)	OPP	OPP	OPP		---	---

Comments:

[SENATE FILE for bills not passed] This bill defines terms; requires the Department of Workforce Services to create and maintain a registry of residential vocational and life skills programs; and makes technical and conforming changes. [FN: State Gov't - Enactment of this bill could cost the Department of Workforce Services \$133,200 one-time General Fund for development expenses in FY 2018 and \$8,400 ongoing General Fund for system maintenance and data reporting expenses to create and maintain a registry of residential vocational and life skills programs. Only \$7,200 of the \$8,400 ongoing funding will be needed in FY 2018. Individuals & Businesses - Enactment of this bill could cost the entities registering in the system a fee which will be determined by the Department of Workforce Services.]

SB0134S01	Indigent Defense Commission Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Weiler, Todd Hall, Craig Party:Republican)	SUP	SUP	SUP		---	SUP

Comments:

[GOVERNOR SIGNED] [This SUBSTITUTE bill states that experience in adult criminal defense, child welfare parental defense, or juvenile delinquency defense is a “preference,” and no longer a requirement for the hiring of the Ex. Director and Asst. Director; clarifies that the matching money grants are “up to” and not “equal to” certain percentages; and clarifies that the baseline budget is adjusted based on caseload and inflation whenever subsequent grant requests are submitted and not a “share of local funding, adjusted annually for growth in population and inflation.” The substitute includes AMENDMENT #1: Amends the position of Ex. Director to “Director.”] This bill expands the Utah Indigent Defense Commission to include juvenile defense; addresses the make up of the commission; addresses the qualifications and duties, including the hiring of staff. It addresses the powers and duties of the commission; modifies provisions related to the Indigent Defense Resources Account; addresses indigent criminal and juvenile defense system participation; amends provisions related to application for grant money; addresses cooperation with the commission; and makes technical and conforming changes. [FN: This bill could transfer \$157,700 in FY 2018 and \$155,500 each year thereafter from the General Fund to the Indigent Defense Resources Restricted Account. This bill could cost \$157,700 in FY 2018 and \$155,500 each year thereafter from the Indigent Defense Resources Restricted Account for commission personnel-related costs. This could also cost an additional unknown amount for indigent juvenile defense services grants outlined in the bill. Local Government - Upon meeting certain conditions, county governments under this bill could receive an undetermined amount in additional funding for supplementing county legal defense services for the indigent. In addition, there could be greater costs incurred by the counties to provide indigent defense, however the amount is unknown.]

SB0136	Animal Shelter Revisions	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Davis, Gene Party:Democratic)	S/C	N/P	---		---	N/P

Comments:

[SENATE FILE for bills not passed] This bill makes it a crime to leave an animal tethered and unattended, under certain conditions, in a manner that prevents the animal from reaching shelter and makes technical changes. [This bill modifies a section with an existing class B and class C misd.] [FN: Will not impact the state budget.]

SB0146S01	Constable Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Fillmore, Lincoln Party:Republican)	N/P	---	---	OPP	---	---

Comments:

[SENATE FILE for bills not passed] [AMENDMENT #1: Repeals a number of enacted sections.] This SUBSTITUTE bill repeals provisions related to fees for constables. Clarifies which local entities are authorized to appoint a constable. Requires a nominating commission to provide notice that announces a county's or city's intent to appoint a constable and specifies the

Bill Number	Title/Sponsor/Summary	Position					
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qualifications required to be considered for the appointment, and makes technical and conforming changes. [FN: Will not impact the state budget.]

SB0160	Homeless Youth Health Care Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Shiozawa, Brian E. Kennedy, Michael S. Party:Republican)	---	---	SUP		SUP	SUP

Comments:

[GOVERNOR SIGNED] This bill authorizes an unaccompanied, homeless minor, who is age 15 or older, to consent to certain health care services; and makes other conforming amendments. [FN: Will not impact the state budget.]

SB0167	Bail Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Adams, J. Stuart McCay, Daniel Party:Republican)	OPP	---	---		OPP	---

Comments:

[GOVERNOR SIGNED] This bill modifies the provisions regarding the release on bail to allow release by written undertaking or an equal amount of cash bail. [FN: Will not impact the state budget.]

SB0169	Judiciary Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Hillyard, Lyle W. Snow, V. Lowry Party:Republican)	SUP	SUP	---		---	SUP

Comments:

[GOVERNOR SIGNED] [AMENDMENT #1: Removes duplicative language added by mistake.] This bill requires a mayor of a city or town to fill the vacancy of a municipal justice court judge and, until the position is filled, allows the city or town to contract with another jurisdiction for judicial services. It requires a county appointing authority to fill the vacancy of a county justice court judge; repeals the provision allowing a will to be deposited with a court for safekeeping during the testator's lifetime; modifies a provision concerning delivery of a will; amends provisions regarding the Online Court Assistance Program; amends provisions regarding an appeal to the district court of a justice court decision; amends a provision regarding an appeal of a small claims court decision; amends provisions regarding jury selection and service; and makes technical changes. [FN: Will not impact the state budget.]

SB0200	Law Enforcement Peer Counseling Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Thatcher, Daniel W. Hutchings, Eric K. Party:Republican)	S/C	---	---	SUP	SUP	---

Comments:

[SENATE FILE for bills not passed] [AMENDMENT #2: Adds the commissioner of the Dept. of Public Safety to the list of those who may designate a peer support team member. AMENDMENT #1: Adds the executive director of the Department of Corrections to the list of those who may designate a peer support team member.] This bill provides for the creation of teams to provide peer support services in law enforcement and emergency agencies; requires that members of the peer support team receive training and be designated as members of a team by the head of the employing agency; provides that information a peer support team member receives from a person when providing peer support services to that person may not be released, except in specified circumstances; and provides definitions. [FN: Will not impact the state budget.]

SB0211S02	Cannabinoid Product Act	CCJJ	USC	USAAV	LELC	UCV	UBJJ
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Bill Number	Title/Sponsor/Summary	Position					
	(Vickers, Evan J. Daw, Brad M. Party:Republican)	OPP	---	OPP	HOLD	---	N/P

Comments:

[SENATE FILE for bills not passed] [This SUBSTITUTE bill modifies the definition of "Cannabinoid product" to be consistent throughout the bill; enacts "58-37-3.7. Cannabinoid product -- Approval by Legislature"; and clarifies "59-28-103. Imposition of tax -- Rate -- Administration."] This bill authorizes the cultivation, production, possession, use, and sale of cannabis and cannabinoid products under certain circumstances; provides for the creation of an electronic monitoring system for cannabinoid products; directs the Department of Agriculture and Food to issue cannabis producer licenses and enforce cannabis producer operating requirements; grants the Department of Agriculture and Food, the Division of Occupational and Professional Licensing, the Department of Financial Institutions, and the Department of Health rulemaking authority; directs the Department of Financial Institutions to issue cannabis payment processor licenses and enforce cannabis payment processor operating requirements; directs the Division of Occupational and Professional Licensing within the Department of Commerce to issue cannabinoid dispensary licenses and enforce cannabinoid dispensary operating requirements; directs the Department of Health to issue cannabinoid cards to individuals under certain circumstances; creates an exemption from sales and use tax for sales of cannabinoid products; imposes a special tax on the sale of cannabinoid products; creates the Cannabinoid Product Restricted Account; amends provisions related to driving with a measurable metabolite of cannabinoid medicine; prohibits a court from discriminating against a parent in a child custody case based on the parent's legal use of cannabinoid medicine; and prohibits a peace officer or child welfare worker from removing a child from an individual's home on the basis of the individual's lawful use of cannabinoid medicine.

SB0213	Utah Substance Use and Mental Health Advisory Council	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Stevenson, Jerry W. Barlow, Stewart E. Party:Republican)	SUP	---	PRI		---	SUP

Comments:

[GOVERNOR SIGNED] This bill corrects references to the council; adds a member to the council; and makes technical corrections. [FN: Enactment of this legislation could cost the Commission on Criminal and Juvenile Justice \$500 General Fund beginning in FY 2018 for the addition of one new member to the Utah Substance Use and Mental Health Advisory Council for related per diem and travel reimbursement costs.]

SB0215	Master Offense List	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Thatcher, Daniel W. Roberts, Marc K. Party:Republican)	N/P	HOLD	---		---	N/P

Comments:

[GOVERNOR SIGNED] This bill defines terms; makes technical and conforming changes; requires the Sentencing Commission to create a master offense list, update the master offense list annually, and present the master offense list to the Law Enforcement and Criminal Justice Interim Committee. [FN: Will not impact the state budget.]

SB0219	Pharmaceutical Product Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Shiozawa, Brian E. Redd, Edward H. Party:Republican)	HOLD	---	SUP		---	N/P

Comments:

[GOVERNOR SIGNED] This bill provides a schedule in the state Controlled Substances Act for cannabidiol in a drug product approved by the United States Food and Drug Administration. [FN: Will not impact the state budget.]

SB0226	Permanent Criminal Stalking Injunction Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
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Bill Number	Title/Sponsor/Summary		Position					
	(Weiler, Todd Edwards, Rebecca P.	Party:Republican)	N/P	N/P	---	SUP	N/P	N/P

Comments:

[GOVERNOR SIGNED] [AMENDMENT #1: Removes conspiracy to commit stalking and solicitation to commit stalking. Removes a conviction of conspiracy to commit stalking and solicitation to commit stalking.] This bill extends an application for a permanent criminal stalking injunction against a person in the following instances: a conviction of stalking; a conviction of attempt to commit stalking; a conviction of conspiracy to commit stalking; a conviction of solicitation to commit stalking; or a plea to any of the above accepted by the court and held in abeyance. [FN: Will not impact the state budget.]

SB0227	Doxing Prohibition Amendments		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Stephenson, Howard A. Perry, Lee B.	Party:Republican)	OPP	OPP	---	OPP	S/C	N/P

Comments:

[GOVERNOR SIGNED - Includes AMENDMENT #5: This section does not affect, limit, or apply to any activity or conduct that is protected by the constitution or laws of this state or by the constitution or laws of the United States and modifies the definition of “identifying information.” AMENDMENT#4: Modifies the definition of “identifying information.”AMENDMENT#3: Modifies the definition of “identifying information” adopted after the final meeting.] This bill prohibits the disclosure or dissemination of identifying information with the intent or knowledge that the information will be further disseminated; defines identifying information; and provides penalties. [AMENDMENT #2: Clarifies necessary intent and modifies penalties on an interactive computer service for content provided by another person. This bill prohibits the dissemination of personal information without authorization under certain circumstances.] [FN: Will not impact the state budget.]

SB0230	Solicitation Amendments		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Weiler, Todd Winder, Mike	Party:Republican)	OPP	OPP	---	SUP	S/C	N/P

Comments:

[GOVERNOR SIGNED] This bill renames "house of prostitution" to "place of prostitution"; updates the definition of "sexual activity"; adds arranging a meeting for the purpose of sexual activity to the crime of prostitution; increases some penalties; requires the maximum fine be ordered upon conviction; and prohibits waiving or suspending the fine. [FN: To the extent individuals are convicted for violations of provisions of this bill, they may face increased fines.]

SB0232	Cyber Exploitation Amendments		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Bramble, Curtis S. Eliason, Steve	Party:Republican)	S/C	N/P	---	SUP	S/C	---

Comments:

[GOVERNOR SIGNED] [AMENDMENT #2: Modifies the 76-5b-204. Sexual extortion—Penalties section. AMENDMENT #1: Exempts an interactive computer service, as defined in 47 U.S.C. Sec. 230, from liability.] This bill defines the crimes of sexual extortion and aggravated sexual extortion; provides criminal penalties for the crimes of sexual extortion and aggravated sexual extortion; provides that aggravated sexual extortion is a registerable offense under the Sex and Kidnap Offender Registry; and defines terms. [FN: Enactment of this bill could have a total cost of \$33,000 in FY 2018 and increase annually until FY 2021 when it reaches a steady state cost of \$133,600. The General Fund cost breakdown is as follows: (1) Corrections - \$33,000 in FY 2018, increasing to \$132,000 ongoing by FY 2021 for incarceration and supervision costs; and (2) Board of Pardons and Parole - \$400 in FY 2019, increasing to \$1,600 ongoing by FY 2021 for additional hearings, however the Board submits that they can absorb this cost. This estimate assumes 1 third degree offender prison commitment annually with a length of stay of 4 years. For each additional commitment to county jails as a result of the bill, incarceration costs are approximately \$65 per day. This could cost counties an unknown amount to prosecute and could collect about \$2,000 ongoing in fee revenue. About 1 offender could pay about \$5,800 in fines/fees annually beginning in FY 2018.]

Bill Number	Title/Sponsor/Summary		Position					
SB0235	Assault and Threat of Violence Amendments		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Thatcher, Daniel W. Ray, Paul	Party:Republican)	SUP	SUP	---	SUP	S/C	SUP
Comments: [GOVERNOR SIGNED] This bill modifies the offense of assault against certain persons to include a threat of violence and makes technical changes. [Certain persons include: school employees; peace officer or a military servicemember in uniform; health care provider and emergency medical service worker.] [FN: Will not impact the state budget.]								
SB0239	Interfering with a Peace Officer		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Weiler, Todd Gardiner, Adam	Party:Republican)	SUP	SUP	SUP	SUP	N/P	N/P
Comments: [GOVERNOR SIGNED] [AMENDMENT #1: Recording the actions of a law enforcement officer with a camera, mobile phone, or other photographic device, while the officer is performing official duties in plain view, does not by itself constitute: (a) interference with the officer; (b) willful resistance; (c) disorderly conduct; or (d) obstruction of justice.] This bill clarifies that interfering with a peace officer applies to any person who interferes, not just the person being detained. [FN: Will not impact the state budget.]								
SB0242S01	Government Records Access and Management Act Amendments		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Bramble, Curtis S. Dunnigan, James A.	Party:Republican)	S/C	S/C	---		S/C	---
Comments: [GOVERNOR SIGNED] [This SUBSTITUTE bill is limited to an individual confined in a jail or other correctional facility. It limits requests to 5 per year and to only a record that contains a specific reference to the individual. It removes the State Records Committee.] This bill provides that a governmental entity is not required to respond to a record request from an individual who is confined in a correctional facility following conviction, with an exception; modifies the time a chief administrative officer has to make a decision on an appeal; prohibits a court from remanding to the State Records Committee a petition for review of a State Records Committee order; and modifies qualifications of members of a political subdivision appeals board. [FN: Will not impact the state budget.]								
SB0243	Revised Uniform Athlete Agents Act		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Hillyard, Lyle W. Snow, V. Lowry	Party:Republican)	N/P	N/P	---		---	N/P
Comments: [GOVERNOR SIGNED] This bill modifies the Uniform Athlete Agents Act. [Modifies a class A misd.] [FN: Will not impact the state budget.]								
SB0246S01	Pharmacy Practice Act Amendments		CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Vickers, Evan J. Ray, Paul	Party:Republican)	---	---	SUP		---	---
Comments: [GOVERNOR SIGNED] [AMENDMENT #2: Provides a special effective date and makes technical corrections. AMENDMENT #1: An individual who may authorize a pharmacist to administer a drug listed in section (2) of the bill was change from a "practitioner" to a "physician, as that term is defined in Section 58-67-102 or Section 58-68-102."] This SUBSTITUTE bill requires certain Utah-licensed nonresident pharmacies to submit to an inspection as a prerequisite for licensure; excludes drugs administered under certain conditions from certain drug-								

Bill Number	Title/Sponsor/Summary	Position					
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container labeling requirements; permits certain pharmacists to administer long-acting injectable drugs intramuscularly under certain conditions; and makes technical changes. [FN: Enactment of this legislation could reduce the year-end transfer to the General Fund from the Commerce Service Fund by \$3,400 annually, and by \$1,800 one-time in FY 2018. It could cost the Department of Commerce \$3,400 ongoing and \$1,800 one-time Commerce Service Fund, beginning in FY 2018 for changes to the renewal process, database updates, processing costs, and rule development. Spending from the Commerce Service Fund impacts year-end transfers to the General Fund.]

SB0251	Local Government Criminal Penalty Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Thatcher, Daniel W. McCay, Daniel Party:Republican)	S/C	N/P	---	N/P	---	N/P

Comments:

[GOVERNOR SIGNED] [AMENDMENT #1: Clarifies that a municipal officer or official who is not a law enforcement officer in accordance with Section 53-13-103 may not issue a criminal citation for a violation that is punished as a misdemeanor. This revision replaces the previous language limiting them to issuing only citations for an infraction.] This bill requires that only a law enforcement officer may enforce a local ordinance that is a misdemeanor. [FN: Will not impact the state budget.]

SB0258S01	Addiction Recovery Amendments	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Mayne, Karen McKell, Mike K. Party:Democratic)	SUP	---	SUP		---	SUP

Comments:

[GOVERNOR SIGNED] This bill defines terms; requires the Department of Health to establish guidelines for the issuance of a prescription for an opiate antagonist along with a prescription for an opiate; and report on the guidelines to the Health and Human Services Interim Committee. [FN: State Gov't - Enactment of this legislation could reduce one-time year-end transfers from the Commerce Service Fund to the General Fund by \$2,600 in FY 2018. Enactment of this legislation may cost the Department of Commerce \$3,700 one-time from the Commerce Service Account in FY 2018 and the Department of Health \$3,700 one-time General Fund in FY 2017 and again in FY 2018 for around 400 hours of staff time and two extra board meetings. The Department of Commerce has indicated that it can absorb its costs.]

SB0261S01	Substance Use Disorder Programs	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Mayne, Karen Spendlove, Robert M. Party:Democratic)	SUP	---	SUP	SUP	---	---

Comments:

[GOVERNOR SIGNED] This SUBSTITUTE bill requires the Utah Substance Use and Mental Health Advisory Council to convene a workgroup to study recovery residence issues; and establishes a program to distribute new funds to reduce recidivism and the number of incarcerated individuals with a substance use disorder or a mental health disorder. [FN: Enactment of this legislation could require the Department of Human Services - Division of Substance Abuse and Mental Health to form an application review and fund distribution committee, for the purpose of distributing funds for prevention, treatment, and recovery support services to counties, local mental health authorities, and local substance abuse authorities. The requirement could be absorbed within the division's existing competitive application processes. The Utah Sheriffs' Association, the Statewide Association of Prosecutors of Utah, and the Utah Association of Counties could experience costs related to travel reimbursement and lost work time when members of those organizations participate in the application review and fund distribution committee created by the legislation.]

SB0266	Division of Child and Family Services Appeals	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Henderson, Deidre M. Snow, V. Lowry Party:Republican)	S/C	S/C	---		S/C	S/C

Comments:

Bill Number	Title/Sponsor/Summary	Position					
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[GOVERNOR SIGNED] This bill establishes time frames for the expungement of a division report; requires the division to make rules regarding expungement of a division report; and makes technical changes. [FN: State Gov't - Enactment of this legislation could cost the Department of Human Services - Division of Child and Family Services \$840,900 (\$748,500 General Fund and \$92,400 federal funds) in FY 2018 and \$79,500 (\$70,800 General Fund and \$8,700 federal funds) annually beginning in FY 2019 to expunge alleged perpetrators from supported and unsupported reports of child abuse or neglect, based on criteria determined by the division through rule. Costs in FY 2018 include computer programming to modify the division's two information systems and assume approximately 1,100 requests for expungement; costs in subsequent years assume approximately 550 requests for expungement annually, which represents 2.6 percent of the alleged perpetrators documented in reports each year.]

SCR008S01	Health Care Freedom Concurrent Resolution	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Hemmert, Daniel Kennedy, Michael S. Party:Republican)	OPP	---	OPP		OPP	OPP

Comments:

[GOVERNOR SIGNED - Includes AMENDMENT #1: Clarifying certain language adopted after the final meeting] [This SUBSTITUTE resolution adds an additional WHEREAS and makes clarifications.] This resolution asserts that Utah is best suited to make decisions regarding Medicaid policy for the residents of this state, including prioritizing state Medicaid spending to reflect the unique needs of Utah and setting eligibility standards that reflect state priorities; and calls upon the federal government to provide Medicaid funding through a federal block grant that would give states greater flexibility to manage the state Medicaid budget and tailor the program to meet state objectives. [FN: Will not impact the state budget.]

SJR004	Joint Resolution Amending Rules of Evidence - Victim Selection	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Thatcher, Daniel W. Party:Republican)	SUP	S/C	SUP	SUP	S/C	SUP

Comments:

[SENATE FILE for bills not passed] This resolution provides that a criminal defendant's expressions or associations are not admissible as evidence of the defendant's selection of the victim when addressing a victim selection penalty enhancement, except when the evidence specifically relates to the crime charged or is introduced for impeachment. [FN: Will not impact the state budget.]

SJR007S01	Joint Resolution Amending Rules of Criminal Procedure	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Weiler, Todd McKell, Mike K. Party:Republican)	OPP	---	---		---	OPP

Comments:

[SENATE FILE for bills not passed] [This SUBSTITUTE resolution includes AMENDMENT #1: Removes being tried for a class B misdemeanor as a contempt of court sanction.] This resolution describes the information that is to be disclosed and provides sanctions under certain circumstances for failure to comply with constitutional disclosure requirements. It provides an exemption from sanctions and makes technical changes. [FN: Will not impact the state budget.]

SJR012	Joint Resolution Designating Post-traumatic Stress Injury Awareness Day	CCJJ	USC	USAAV	LELC	UCV	UBJJ
	(Knudson, Peter C. Redd, Edward H. Party:Republican)	---	---	SUP		---	---

Comments:

[SENATE/to Lt. GOVERNOR] This resolution designates June 27, 2017, as Post-Traumatic Stress Injury Awareness Day in the state of Utah; and urges the Department of Health and the Department of Veterans and Military Affairs to continue working to educate service members, veterans and their families, and victims of abuse, crime, and natural disaster, as well as the general public, about the causes, symptoms, and treatment of post-traumatic stress injury. [FN: Will not impact the state budget.]